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Proceedings of the Constitutional Convention of the People of the State of Arkansas. Convened at the Capitol. July 14th 1874.

A Convention of the people of the state of Arkansas was convened by the following act of the general assembly of Arkansas. approved May 18th 1874. viz:

"An act providing for a convention of the people of the state of Arkansas, to frame a new Constitution."

Whereas, it is manifest that there are many defects and objectionable provisions in the present Constitution of the State, and that it is not satisfactory to the people thereof; therefore,

Be it enacted by the General Assembly of the State of Arkansas, Convened in extraordinary session, as follows:

Section 1 That a Convention of the people of the State is called, to assemble at Little Rock the Capitol of the State, on Tuesday, the 14th day of July, 1874, for the purpose of framing a new Constitution and providing for putting the same into force.

Sec 2 That the Delegates to said Convention shall be chosen by the qualified electors of each County of the State, in the manner hereinafter provided, and shall possess the same qualifications as are provided for a member of the House of Representatives.

Sec 3. Each County in the State, as now organized, shall be entitled to one Delegate to said Convention, and the following Counties shall be entitled to the additional Delegates hereon mentioned, to-wit: The County of Washington shall be entitled to two additional Delegates, Benton one, Clark one, Hempstead one, Independence one, Jefferson two, Ouachita one, Phillips two, Pulaski three, Sebastian one, Union one, White one, Columbia one.

Sec 4. An election shall be held at the several election precincts of every County in the State, on Tuesday, the 30th day of June, A.D. 1874 for the purpose of electing Delegates to said Convention.

Sec. 5. Said election shall be conducted in accordance with

existing laws, except as herein otherwise provided.

Sec. 6. There shall be elected by joint vote of the Senate and House of Representatives, a State Board of Supervisors of said election, to consist of three men of known intelligence and uprightness, who shall take an oath faithfully and impartially to discharge the duties of their office, a majority of whom shall constitute a quorum, and who shall perform the duties herein assigned them.

Sec. 7. Said State Board shall at once proceed to appoint a Board of County Election Supervisors for each County of the State, consisting of three men of known intelligence and uprightness of character, who shall take the same oath as above provided for the State Board; a majority of each Board shall constitute a quorum, and shall perform the duties herein assigned to them.

Sec. 8. The Boards of County Election Supervisors shall at once proceed to appoint three judges of election for each election precinct in their respective Counties; and the judges shall appoint three election clerks for their respective precincts, all of whom shall be good, competent men, and take an oath as above prescribed.

Sec. 9. The State Board shall prescribe the form of Roll-books, and each County Board shall furnish the judges of each election precinct with three copies of the Roll-books, in the form so prescribed, at the expense of the County.

Sec. 10. Should the judges of any election precincts fail to attend at the time and place provided by Law, or refuse to act, the assembled electors shall choose competent persons, in the manner provided by Law, to act in their place, who shall be sworn as above.

Sec. 11. As the electors present themselves at the polls to vote, the judges shall pass upon their qualifications, whereupon the clerks of election shall register their names on the poll-books, if qualified, and such registration by said clerks shall be a sufficient registration in conformity to the Constitution of this State, and then their votes shall be taken: Provided, no person shall vote outside or elsewhere than in the Township, Ward or Precinct in which he resides. The electors shall be numbered, and the number of each elector marked on his ballot by one of the judges when deposited.

Sec. 12. After the ballots are counted by the judges, and the result certified on the poll-books by them, the poll-books and the ballots, sealed up, shall be returned to the County Board of Election Supervisors, who shall proceed to cast up the votes, ascertain the result, and furnish the persons elected as Delegates to the Convention with Certificates of election. Each County Board shall return to the State Board the name or names of the Delegates elected; and a full list of the Delegates shall be laid before the Convention, on the day it assembles, by the State Board.

Sec. 13. Each County Board shall also return to the State Board the names of all persons voted for with the number of votes received by each.

Sec. 14. If there is a failure to hold an election in any County, or a vacancy occurs in the office of Delegate, the President of the Convention may order an election in such County forthwith, to elect a Delegate or Delegates to fill such vacancy or vacancies.

Sec. 15. If a majority of the Delegates elected to the Convention are not present on the day fixed for it to meet, the members present may adjourn from day to day until a majority is present, and then proceed to be organized.

Sec. 16. The Delegates and officers of the Convention shall take an oath to support the Constitution of the United States.

Sec. 17. Any election officer, elected or appointed under the provisions of this Act, who shall fraudulently and corruptly register, cast up or make a false return of said election, shall be deemed guilty of a felony, and on conviction thereof shall be imprisoned in the jail or penitentiary house not less than five nor more than ten years. And any person who shall vote more than once, or bribe any person to vote contrary to his wishes, or intimidate or prevent any elector by threats or promises from voting, shall be guilty of a felony, and upon conviction thereof shall be imprisoned in the jail and penitentiary house not less than one nor more than five years, and the Judges of the several Circuit and Criminal Courts of the State shall give this section specially in charge to the grand juries of their respective jurisdictions.

Sec. 18. The Convention shall have power to determine the election, qualifications and returns of its members.

Sec. 19. A sufficient amount of money is hereby appropriated out of the state Treasury to pay the necessary expenses of said Convention, should one be held.

Section 20. That at said election the electors shall have written or printed on their ballots, in addition to the name or names voted for as delegate or delegates "For convention" or "against convention" and said returning officers shall certify the vote for and against Convention in the same manner that the vote for delegates is required to be certified; and if a majority voting vote for a convention, said Convention shall be held at the time therein specified, and the delegates to said convention shall receive the same mileage and per diem as is now received by the members of the Gen

assembly.

Section 21. The Governor shall immediately issue his proclamation for an election under the provisions of this act.

Section 22. That all acts and parts of acts, in conflict with this act be, and the same is hereby repealed, and this act shall take effect and be in force from and after its passage."

The Delegates present were called to order at 12 o'clock M. by Henry M Rector of Garland, who nominated Bradley Bunch of Carroll as President Pro tempore of the Convention.

Mr Bunch was unanimously chosen as President Pro tempore.

Mr Bunch took the chair.

Mr Thomason of Crawford then nominated A. B. Pearce as Secretary pro tempore; which was carried.

Mr Smith of Saline then offered the following resolution, which was adopted.

Resolved, That the state Board of Supervisors of the election held on the 30th of June last be requested to furnish this convention with a list of delegates elected thereto, and also a list of all persons voted for, as delegates in each County with the number of votes received by each respectively; and that said Board also

furnish the vote of each county for and against convention at said election, and the total vote of the state.

Hon A.H. Garland, on behalf of the state Board of election supervisors, presented the following report, which was read by the secretary:

Little Rock Arkansas.
July 14th 1874.

To the Honorable the delegates to the Constitutional Convention of the state of Arkansas:

Gentlemen: We transmit herewith our report as the state Board of election supervisors of the election held on the 30th ult; under the provisions of the act of the general assembly entitled "An act providing for a convention of the people of the state of Arkansas to frame a new constitution" approved May 18th 1874. which report is embraced in the following-named abstracts and lists towit:

"A"— List of county election supervisors appointed by the state Board.

B— Abstract from official returns of votes cast for delegates to Constitutional Convention.

C.— List of delegates elected to the Constitutional Convention, as shown by official returns.

D— Abstract of votes cast for and against Convention.

The official oath of the state supervisors

the official oaths and returns of the county supervisors are held subject to the order of the Convention

All of which is respectfully submitted.

A St Gaulenel
Dudley E Jones.
Gordon & Pray
State Board of Election Supervisors

Abstract A.

List of County Election Supervisors appointed by the State Board under the provisions of the Act of the General Assembly of the State of Arkansas entitled "An Act providing for a Convention of the people of the State of Arkansas to frame a new Constitution."

Counties	Names of Supervisors
Arkansas	Basil B. Smith David G Reynolds Andrew D. Mathews
Ashley	Benjamin Jones W & McClurd John S. Wood
Benton	Wm H. Reynolds John W. Simmons Thomas P. Dickson
Boone	James B Ford James H Williams S. G Morrison
Bradley	William L Mack H D. Scobey George A Rice
Baxter	Orren L. Dodd A G Truman B G Lane
Calhoun	Olzier H. P. Richardson L L Moses Lovinski Pray

Counties	Names of Supervisors	
Carroll	Burrill Bobo Leonard Stanley John S Grinn	
Chicot	James F Robinson C W. Fry D L Ward (Colby	
Clark	Robert I Cooke William M. Paisley C. A. Gantt	
Columbia X	E. H. Adams John Kusty Edwin R Vaughan	Columbia County George P Smoote Dawson L Kilgore Thomas L Dilmer Geb Railey F. O. Ferguson
Conway		
Craighead	William McEwen John. A. Patrick Homer. Parr	
Crawford	Edward G. Whitesides Berkley Neal Luther C. White	
Crittenden	Williams, Vance, Jr A. J. Cunningham John Fogleman	
Cross.	Isaac N. Diggrick James M. Jernegan James. M. Gilliland	
Clayton	James, Blackshire William Liddell P. H. Benson	
Dallas	B. F. Hitchcock George G, Lea Stephen, Wenstead	
Desha	L. A. Pendall W. R Anderson Edward Blasley	
Drew	S. E. Cole David S. Doelle James H Smith	
Dorsey	Benjamin Davis Addison J. McGehee Joseph Gray	

Counties	Names of Supervisors
Franklin	Maurice E. Spencer John C. Long Thomas D. Berry
Fulton	Adolphus L. Pearson U L Walters Mathew Brown
Faulkner	Charles Adams Russell E. Benedict John H. McCulloch
Grant	Leonidas H. Kemp William A Smith Finnigan Thompson
Green	Moses Haney John L Kuykendall Columbus C Grayson
Garland	O A Hobson. L D Belding William H Lewis
Hempstead	Thomas H. Simms L D Jones Richard Booker (colod)
Hot Springs	John C. Dunbrace William A Smith. Zachariah Phillips
Howard	L L Gillamson Joseph H Anderson Wm C Corbett
Independence	John F Allen Urban E Fort William P. Berry
Izard	Augustus C Jeffery George H. Gray Isham H. Talley
Jackson	William F Jones Charles Mims Theodore H Phillips
Jefferson	William F Owen Thomas Pennington L L Hunter

S X

Counties	Names of Supervisors
Johnson	David A. Jamison G. A. Myers E. J. McConnell
Lafayette	James M. Montgomery Alexander Byrne B. R. Hanway
Little River	George W. Tyson O. Alexander Allen Britt (colrd)
Lawrence	W. S. Ball B. F. Coffman George Thornburg
Lonoke	J. C. Goodrum William Donnell Bryam C. Morgan
Lincoln	Clay Rice J. Gill Gibson John H. Crawford
Lee	Charles H. Banks E. P. Govan Louis Hogan (colrd)
Madison	Charles B. Saunders Daniel Boone F. M. Sands
Marion	A. J. Ike James H. Berry J. W. Briggs
Monroe	John B. Bayler William D. Kerr William Slaten (colrd)
Montgomery	Allen B. Anderson James J. Laird Jefferson C. Freeman
Mississippi	Hiram G. O'Dair Charles Bowen James H. Williams
Nevada	Thomas C. McRae John Cope Jason Tyson

	Counties	Names of Supervisors
	Newton	Robert L. Harrison A. J. Reeves Samuel Cecil
	Ouachita	George L. Brown John R Ward Thomas D. Thomson
	Perry	William H. Rankin John F. Tindall S. B. Retford
	Phillips	John E. Burke. Alexander Berry. J. W. Stansell
	Pike	A. Biggs. Thomas Lamb C. D. East
	Polk	J. G. Hudgins John A. Lane John Miller
	Pope	William B. Young Jacob L. Shinn William Reynolds
	Poinsett	J Logan Smith R. C. Wiley Henry A. Hays
	Prairie	J. E. England John S. Williams S. Beilheimer
	Pulaski	Henry L. Fletcher George E. Dodge R. G. Woods
	Randolph	John P. Black William S. Martin Washington R. Hunter
	Saline	Joseph E. Moose Alfred E. Hockersmith John L Hughes
	Sarber	Jordan G. Taylor Thomas Whittaker Frank M. Moore

Counties	Names of Supervisors
Scott	Jesse H. Payne C. L. Hough J. C. Bell.
Searcy	Jesse Cypert William H. Hays Noah W. Hatchett
Sebastian	John C. Wheeler Hubbard Stone A. P. Ripley
Sevier	B. F. Gregg M. M. Locke J. C. Lloyd
Sharp	Thomas H. Stewart Charles H. Shaver P. N. Line
St. Francis	P. P. Keathley Frank Blackwell John H. Johnston
Stone	E. B. Decker E. E. Jernathan J. D. Martin
Union	John C. Spears John B. Watts John Hearon
Van Buren	J. B. Button J. C. Bradshaw Fountain M. Lacy
Washington	James M. Causey James A. L. McCollock Robert F. Braden
White	A. M. Foster Silas W. Holt Jairus W. Bradley
Woodruff	W. D. Campbell J. R. Jeeles James B. Dent
Yell	James M. Blackwell John F. Choate Joseph Gault

The annexed and foregoing seven pages contain a correct List of the names of persons appointed County election Supervisors, under the provisions of the Act of the General Assembly entitled "An Act providing for a Convention of the people of the State of Arkansas to frame a new Constitution", Approved May 18th 1874.

A H Garland
Dudley E Jones
Jordan N. Peay
State Board of Election Supervisors

Abstract "B"

Abstract from Official Returns of Votes cast for Delegates to Constitutional Convention at the election held on the 30th day of June A D 1874, under the provisions of the Act of the General Assembly, entitled "An Act providing for a Convention of the people of the State of Arkansas to frame a new Constitution Approved May 18th A D, 1874.

Names of Counties	Names of Persons voted for as Delegates to Convention	No. of votes received by each	
Ashley	M. L. Hawkins	629	
	L. W. Van Gilder	1	
	L. S. Wood	1	
	W. J. White	4	
Arkansas	James A Gibson,	708	
	Wm H. Halliburton	699.	
	A. J. Gunnell	1	
Benton	H. H. Patterson	1468	
	A. M. Rodgers	1812	
	C. D. Taliaferro	924	
	R. W. Elles	894.	
	W. W. Reynolds	1	
	R. L. Hymes.	1	
Boone	Wm W. Bailey	094	
	Telford Denton	565	
	James A Wilson	26	
Bradley	I. L. Sorrells	417	
	John R Hampton	420	

Names of Counties	Names of persons voted for as Delegates to Convention	No of Votes received by each
Baxter	John W. Cypert	292
	William B. Jordan	164
	H. S. Colman	88
	H. H. Hellon	3
Calhoun	Benjamin N Johnson	376
	G. A. Thornton	1
	Joseph Harrison	1
	Alexander Mason	2
Carroll	Bradley Burich	612
	G. S. Galloway	1
	O. W. Mapleys	1
	J. W. McKaige	1
	Thomas H. Peel	1
Chicot	A. Downs	854
	D. H. Reynolds	341
	Conway Barbour	61
	L. L. Johnson	1
	Sanford Hardin	1
Clark	Harris Flanagin	1415
	Pesse A. Coss	1468
	John C. Cary	729
	Milton C Hill	490
Columbia	Dawson L. Kilgore	1222
	George D. Smoote	1248
	Thomas L Milner	32
	Geb Bailey	1
	J. J. Ferguson	2
Conway	W. S. Hanna	946
	Jesse Shumake	102
	W. C. Stout	5
Craighead	Alfred W. Sparks	1
	John S. Anderson	183
	Robert L Paramore	136
	William McElwen	88
	James M. Burke	75
	Derryfield Mooney	80
	Daniel McGoodman	62

Names of Counties	Names of persons voted for as Delegates to Convention	No of votes received by each
Crawford	T Cugh S. Thornason	827
	James W Langster	774
Crittenden	G. C. S. Whitsett	368
	W L Copeland	601
	A. P. Chambers	285
Cross	L G. Thierson	570
	L T Cockles	266
	L. S. Brookfield	65
Clayton	E Foster Brown	801
	Thomas M. Holefield	501
Dallas	W. D. Leiper	574
	R. C. Land	149
	S. Winstead	5
	W. L. Smith	1
Desha	K. J. Pindall	845
	J. Pennoyer Jones	106
	B. F. Grace	2
	James P. Clayton	1
Drew	L P Stanley	1097
	W F Slemmons	2
	Price Abbott	4
Dorsey	John Sivins	916
	James McCulloch	1
Franklin	W. M. Mansfield	1107
	John S Walker	1
	M. Pettigrew	1
	W. Steele	4
	E A Jackson	1
Fulton	Edwin C. Lucas	254
	James M Stocker	230

Names of Counties	Names of persons voted for as Delegates to Convention	No of votes received by each
Faulkner	John Dunaway	803
	W Duncan	454
	F Powers	1
Grant	D D. Cunningham	429
	W A Cleaveland	186
	J A. Vance	75
Greene	Benjamin H. Crowley	377
	David Thorn	362
	L L. Mack	175
Garland	Henry M. Rector	628
	Nathaniel A Lester	238
Hempstead	L D Boyleston	1269
	John P. Eakin	1246
	Scattering	27
Hot-Springs	W. C. Kelley	348
	W L Moonehead	223
	W. B. Scull	68
Howard	Jacob Custer	817
	J M Callaham	10
	R. C Twisley	9
	W. R Woodruff	3
	W. A. Boyd	1
Independence	James W Butler	1866
	James Rutherford	1834
	Stephen A Hoyl	3
	Urban E Fort	1
Izard	Ransom Gulley	642
	E O Wolf	7
	Thomas Black	8
	L Franks	1
	G W. Dodd	1
	Tom Tate	1

Names of Counties	Names of persons voted for as Delegates to Convention	No of votes received by each
Jackson	Franklin Roswell	1022
	Thomas B. E. Richards	307
	Nicholas Lovell	78
	W. H. Collier	1
Jefferson	John A. Williams	3143
	William C. Murphey	3135
	Cyrus Berry	3131
	A. J. Wheat	1008
	Louis Marigene	1012
	George Robinson	1019
	John McGehee	1
	John Nixon	1
Johnson	Seth J. Howell	939
	J. E. Cravens	508
Lafayette	Sidney D. Smith	904
	Cassius Leigh	779
	Peter Cooley	37
	W. P. Parks	9
Little River	James H. Williams	451
	Charles B. Wells	240
	George L. Scott	173
Lonoke	James P. Eagle	1122
	W. C. Robinson	371
	John P. Seeley	2
Lincoln	C. G. Rainey	828
	H. C. Flournoy	752
Lee	J. M. Anderson	1035
	D. C. Govan	800
Lawrence	Phillip K. Lester	598
	Benjamin F. Mathews	320
Madison	John Carroll	581
	Luther M. Bell	574
		1

Names of Counties	Names of persons voted for as Delegates to Convention	No of votes received by each	
Marion	Robinson & Pierce	337	
	John G. Wilson	209	
	William Fielding	2	
	W. B. Flippin	1	
Monroe	Simon P. Hughs	933	
	John C. Palmer	649	
	William M. Mayo	1	
	W. D Kerr	1	
Montgomery	A W Cutler	303	
	B D Johnston	187	
Mississippi	Charles Brown	347	
	De L. F. Davies	268	
Nevada	R. K. Garland	963	
	Thomas C. McRae	1	
Newton	George H. L. Dodson	328	
	Samuel Wilborn	285	
Ouachita	Elijah Mosby	1014	
	Henry G. Brown	993	
	W. W. Leake	1	
	W. P. Hale	1	
Perry	W. H. Blackwell	292	
	E. G. Coste	46	
	W. F. Gadd	2	
	Hardy Fowler	1	
Phillips	John I. Horner	1768	
	James I. White	1655	
	Robert Polk	1622	
	H B Robinson	1601	
	W. H. H. Clayton	1558	
	George Nicholls	1502	
	Scattering	7	
Prairie	D. H. Reinhardt	1102	
Pope	John R. H. Scott	1038	

Names of Counties	Names of persons voted for as Delegates to Convention	No of votes received by each
Pike	Henry W. Carter	296
	Elijah Kelley Jr	70
Polk	Stephen C Bates	261
	Geo: McKenney	122
	M. A Jennings	45
Poinsett	B. Hogan	171
	W. H Smith	155
	Benjamin Harris	1
Pulaski	James F. Fagan	2880
	Sidney M. Barnes	2878
	George C. F. Pickard	2798
	Lewis Barker	2790
	A. M. Rose	2640
	Lohn G. Fletcher	2662
	Asa Richmond	2318
	Samuel Deaher	2344
	Scattering	19
Randolph	John Miller Sr	595
	M. D. Baker	586
Saline	Fabey C. Smith	591
	H. F. Henderson	238
Sebastian	B. B. Chism	898
	C. M. Shaver	344
	John B. Kenny	1
	Lovell Vaughan	3
Scott	P. H. Conely	538
	Franklin Bates	507
Searcy	William S. Lindsey	826
	Archimedes Davis	153

Names of Counties	Names of persons voted for as Delegates to Convention	No of votes received by each	
Sebastian	R. P. Williams	1394	
	M. M. Kinkead	952	
	C. S. Peak	605	
	L. A. Foster	185	
	E. C. Duval	904	
Sevier	B. H. Kinsworthy	545	
	Abram Collins	1	
Sharp	Lewis Williams	412	
	Samuel H. Davidson	235	
	C. Wilson	166	
	R. C. Hicks	1	
St. Francis	Elias M. Pannell	964	
	William H Howell	433	
	Thomas Pearce	10	
Stone	W. F. Coates	309	
	Joseph Hixon	89	
	T. G. McKinzie	24	
Union	Horatio G. Williams	1179	
	Robert Gordeen	1167	
	Thomas Gray	688	
	Charles Chester	650	
Van Buren	Allen, R. Witt	350	
	James H Fraser	272	
	B. F. Baker	233	
Washington	B. F. Walker	2389	
	M. F. Linkel	2240	
	C. H. Thomason	2037	
	David Walker	760	
	A. H. Wilson	431	
	E. W. McClure	306	

Names of Counties	Names of persons voted for as Delegates to Convention	No of Votes received by each
White	Jesse C. Cypert	1338
	Joseph W. Morris	1427
	J. Linkhart	450
	A. H. Connell	824
	James McCauley Jr	2
	John Rodgers	1
Ouachita	Enoch S. Harrison	1058
	William F. Parks	642
Woodruff	William C. Thompson	1196
	J. B. Scarborough	533

The above and foregoing abstract is correctly compiled from the Official returns in our custody

A H Garland

Dudley E Jones

Abram S Peay

State Board of Election Supervisors

Abstract "C"

List of Delegates to the Constitutional Convention to be held on Tuesday the 14th day of July A.D. 1874 elected under the provisions of the Act of the General Assembly of the State of Arkansas entitled "An Act providing for a Convention of the People of the State of Arkansas to frame a new Constitution Approved May the 18th A.D. 1874.

Names of Counties	Names of Delegates Elected	
Arkansas	James A. Gibson	
Ashley	M. L. Bowlin	
Benton	H. H. Patterson S. M. Rodgers	
Boone	William W. Bailey.	
Bradley	John. D. Hampton.	(See note below)
Baxter	John W. Cypert	
Calhoun	Benjamin W. Johnson	
Carroll	Bradley Bunch	
Chicot	F Downs	(See note below
Clark	Harris Flanagin Jesse A Bork	
Columbia	George P. Smoote Dawson L Kilgore	
Conway	W. S. Hanna	
Craighead	John. G. Anderson	
Crawford	Hugh F. Thomason	
Crois	S. G. Frierson	
Crittenden	W. L Copeland	(See note below
Clayton	E Foster Brown.	

Names of Counties	Names of Delegates Elected	
Dallas	W. D Leper	
Dubois	H. F. Pindall	(see note below
Drew	L. P. Stanly	
Dorsey	John Sivens	
Franklin	William H. Mansfield	
Fulton	Edwin R Lucas	
Faulkner	John Dunaway	
Grant	D. D. Cunningham	
Greene	Benjamin H. Crowley	
Garland	Henry M Pleeter	
Hempstead	G. D. Coyelon John R. Eakin	
Hot Springs	W. C. Kelley	
Howard	Jacob Corsler	
Independence	James W. Butler James Routhinford	
Izard	Ransom Gully	
Jackson	Franklin Boswell	
Jefferson	John A Williams William Murphy Cyrus Berry	
Johnson	Seth J. Howell	
Lafayette	Volney E. Smith	
Lawrence	P. H. Lester	
Little River	James H Williams	
Lonoke	James P. Eagle	
Lincoln	C. G. Lindsey	(see note below

Names of Counties	Names of Delegates Elected.	
Lee	J M Anderson	
Madison	John, Carroll	
Marion	Robeson, J. Pierce	
Monroe	Simon P Hughs	
Montgomery	N. H. Cabler	
Mississippi	Charles Bowen	
Nevada	Rufus K Garland	
Newton	George, H, S. Dodson	
Ouachita	Elijah Mosley Henry. G. Benner	
Perry	W. H. Blackwell	
Phillips	John, L. Harmon James. S. White Robert- Bell	
Pike	Henry W. Carter	
Polk	Stephen, C. Bates	
Pope	John. R. H. Scott.	
Poinsett	C. Joyner	
Prairie	D. L Reinhardt	
Pulaski	James. F. Fagan George M Perkins Jesse Butler Sydney M Barnes	
Randolph	John Miller Jr	
Saline	Jabez. M. Smith	
Sarber	B. B. Ehison	
Scott-	J. W. Sorrels	
Searcy	William S. Lindsey	

	Names of Counties	Names of Delegates Elected	
	Sebastian	R. P. Pulliam Wm. M. Fishback	
	Sevier	B. H. Hinsworthy	
	Sharp	Lewis Williams	
	St. Francis	John M. Parrott	
	Stone	H. E. Eagle	
	Union	Horatio G. P. Williams Robert Goodwin	
	Van Buren	Allen B. Witt	
	Washington	B. F. Walker M. L. Lake C. W. Thomason	
	White	Jesse N. Corbert Joseph W. House	
	Woodruff	William J. Thompson	
	Yell	Joseph T. Harrison	

Note: Lincoln County.
The returns of the County Board of Supervisors is made under protest, for the reason set forth in the certificate of the judges of the Election at Kimbrough Precinct, which is made part of the return of the Supervisors.

Note: Bradley County.
The County Supervisors have filed with their returns the notice of Contest by Hon. S. F. Sorrels, and petition to throw out and not embrace certain votes in the Count.

Desha County.
The County Supervisors certify with their returns certain informalities and irregularities in the holding of the election in several Townships in this County, and that the votes cast therein are not embraced in the Count.

Crittenden County.
S. C. F. Shutteth has filed with the State Board, depositions, taken on his behalf as Contestant against W. L. Copeland, for membership to the Convention from this County

Ophcot County: The County Board of Election Supervisors file with their returns of Election a Certificate that A Downs was at the date of election and up to the 7th day of July 1874, County Attorney for said County.

The annexed and foregoing List and statements are correctly compiled from the official returns on our custody

A. H. Garland
Dudley E. Jones
Goodson & Bray

State Board of Election Supervisors

Abstract "D"

Abstract from Official Returns of Votes cast for and against Convention and Convention at the Election held on the 8th day of June A.D. 1874, under the provisions of the Act of the General Assembly of the State of Arkansas entitled "An Act providing for a Convention of the People of the State of Arkansas to frame a New Constitution" Approved May 18th 1874.

Names of Counties	No of votes cast for Convention	No of votes cast against Convention	Remarks
Arkansas	995	417	
Ashley	639	11	
Benton	2365	7	
Boone	1277	26	
Bradley	842	13	
Baxter	535	31	
Calhoun	533	6	
Carroll	619	8	
Chicot	1260	5	
Clarke	1595	662	
Columbia	1249	23	
Conway	966	214	
Craighead	540	25	
Crawford	1610	5	
Cross	843	00	
Crittenden	1012	123	
Clayton	1298	16	
Dallas	757	20	
Desha	1015	12	
Drew	1110	117	
Dorsey	748	207	
Franklin	1155	5	
Fulton	491	00	
Faulkener	1233	34	
Grant	667	31	

Names of Counties	Names of Votes cast for Convention	Names of Votes cast against Convention	Remarks
Green	921	00	
Garland	758	133	
Hempstead	1330	9	
Hot-Springs	629	43	
Howard	825	37	
Independence	1870	18	
Izard	745	8	
Jackson	1372	42	
Jefferson	1116	3132	
Johnson	1396	77	
Lafayette	849	893	
Lawrence	952	1	
Little River	627	241	
Lonoke	1506	123	
Lincoln	918	694	
Lee	1,836	00	
Madison	1037	131	
Marion	545	10	
Monroe	1614	24	
Montgomery	496	3	
Mississippi	602	18	
Nevada	930	65	
Newton	642	23	
Ouachita	1010	08	
Perry	301	55	

Names of Counties	No of Votes cast for Convention	No of Votes cast against Convention
Phillips	3296	00
Pike	301	119
Polk	452	2
Pope	1047	29
Prescott	313	5
Prairie	1103	400
Pulaski	2673	182
Randolph	1179	7
Saline	874	00
Sevier	1248	101
Scott.	1058	1
Searcy	1407	98
Sebastian	2140	2
Sevier	546	4
Sharp	819	4
St. Francis	1412	00
Stone	482	4
Union	1834	1
Van Buren	866	11
Washington	2776	25
White	1931	2
Woodruff.	1732	8
Yell	1702	9
	80200	8607

Aggregate votes for Convention		80,250	
Aggregate votes against Convention		8607	
Majority for Convention,		71,643	

The above and foregoing abstract is correctly compiled from the official returns in our custody.

A H Garland
Dudley E Jones.
Gordon N Peay.
State Board of Election Supervisors.

By direction of the President pro-tempore, the Secretary pro-tempore, proceeded to call the roll and the following named Deligates answered to their names.

J. M. Anderson
John. S. Anderson
Bradley Bunch
Jesse Butler
Cyrus Berry
W. W. Bailey
H. G. Bunn
S. M. Barnes
W. H. Blackwell
E. Foster Brown
S. C. Bates
Charles Bowen
John W. Cypert
Jesse N. Cypert
W. L. Copeland
A. D. Cunningham
Jacob Custer
John Carroll
H. M. Cabler
Henry W. Carter
W. F. Eagle
B. B. Chism
E. Downs
John Dunnaway
Frank Doswell
G. W. T. Dodson

J. R. Eakin
F. P. Eagle
Harris Flanagin
James G. Friesen
Wm. H. Fishback
James A Gibson
R. K. Garland
Ransom Gulley
Robert Goodson
Joseph S. House
John R. Hampton
Joseph T. Harrison
John F. Harmon
M. L. Hawkins
W. S. Hamm
S. L. Howell
B. W. Johnson
R. Joyner
D L. Gillgore
Wm. E Kelley
B. H. Kinsworthy
W. D Leiper
E E Lucas
R E Lesher

W. S. Lindsey.
N. F. Lake
Elijah Mosley
William H Mansfield
William Murphy
John Miller
John Niven
H. H. Patterson
H. J. Pendall
R. G. Pantney
C. F. Pierce
C. P Perkins
Peter M. Parrott
R. L. Pulliam
Robert Polk
A. M. Rodgers
Peter A Rose
H. M. Rector
G. D. Royston
James Rutherford
George P. Sorrote
J. D. Stanley
J. R. H. Scott-
Libey M. Smith
J. L. Sorrel
H L Thomason
W. F. Thompson
J A Williams

James H. Williams
H. G. P. Williams
Joseph S. White
B A Walker
Allen R. Witt.

Present. 83.
Absent 8.

The delegates rise pi number as their names were called & presented themselves, at the bar of the Convention and were sworn in by Elbert H English Justice of the supreme Court of Arkansas.

Pending the swearing of the members when the name of T.I. Pindall was called, delegate from Dallas County, Mr Williams of Jefferson presented a protest from J. Pennoyer Jones against the swearing in of said Pindall as delegate, said Jones claiming that he was the duly elected to represent said County in the Convention.
The Protest was read by the secretary, when on motion of Mr Williams, of Jefferson the protest was referred to the committee on elections, and Mr Pindall was sworn in.

When, the name of Hon. V. V. Smith, of Lafayette County was called, Mr Williams of Jefferson, ask Mr Smiths request stated that as a question had been raised as to the eligibility of the delegate, he preferred to have it settled after a permanent organization.

had been effected, and moved that no not take his seat at present.

The President pro tempore of the convention then declared that the business next in order was the election of a permanent president.

Mr B W Johnson, of Calhoun nominated Hon Goundison D Royston.

There being no other nominations, Mr Thomason, of Crawford, moved that he be elected by acclamation.

Mr Pendall objected, but on motion of Mr Thomason, the vote was taken.

The following named members voted for G. D. Royston

Anderson,	of Lee	Easter	House
Anderson	of Craighead	Carroll Cabler	Hampton
Bunch		Cagle	Harrison
Butler	of Independence	Chism	Horton
Berry		Dunnaway	Hawkins
Bailey		Dowell	Hanna
Bunn		Dodson	Howell
Barnes		Eakin	Johnson
Blackwell		Eagle	Joyner
Brown		Flanagin	Killgore
Bates		Frierson	Kelley
Bowen		Fishback	Kinsworthy
Cypert	of Baxter	Gibson	Leiper
Cypert	of White	Garland	Lucas
Copeland		Gulley	Lester
Cunningham		Goodeven	Lindsey

Lake. Mosley Mansfield Murphy Miller Niven
Patterson Pindall Pumroy Pierce Parrott Pulliam
Polk Rodgers Ross Rector Rutherford
Reinhardt- Smoote Stanley Scott-Smith (of Saline)
Sorels Thomason (of Crawford) Thompson Williams (of Little River)
Williams (of Sharp) Williams (of Izard) White. Walker. Witt.

Total Poll-cast — 84

Necessary to a choice 43.

Mr L. D. Royston having received all the votes cast-and being more than a majority, was declared duly elected President of the Constitutional Convention.

On motion of Mr Scott-of Pike a committee of two was appointed to conduct the President elect to the Chair.

The President pro tempore appointed Messrs James H. Butler and Hugh F. Thomason as said Committee.

The President upon being qualified and taking the Chair said-
Gentlemen of the Convention- Your partiality, in elevating me to the high position of presiding over the deliberations of this body, entitles you to my warmest thanks and inspires me with feelings of the liveliest gratitude.
Called together, as we have been by the voice of the people, a high and solemn responsibility devolves upon us, in forming for the State of Arkansas a constitution which shall secure to all classes sound and substantial warranties of peace and prosperity. The very fact of the people having by such an overwhelming majority called this convention together, is evidence most conclusive that the government under which we now live is unsuited to their wants and condition, and that they are anxious to have inaugurated by their representatives assembled on this occasion another government- one under which they themselves, the people shall be the source of power; a government for themselves; one by which may be established a system of elections through which they may choose their own officers, from the highest to the lowest; a government, gentlemen, that shall be honestly and faithfully administered, by honest-faithful and impartial men; a government that shall secure equal, just and impartial rights to all classes and conditions of men, without regard to race, color or previous condition of servitude. Our taxation has been most-enormous; it has oppressed this people year after year, until it has brought; I might say beggary and want to the doors of the homesteads of this entire Commonwealth.
The people therefore desire that the system of government

under which we have suffered these grievances, shall be removed and that we shall have a policy under which we can prosper - one which shall cost us for less than that of the past, and be productive of benefits instead of injuries. Thinking gentlemen that our relations may be of the most considerate and amicable character, and that the result of your deliberations may be to afford to the people of Arkansas an organic law adapted to secure the rights and to meet the necessities of all classes and conditions of the people - such a one as we may all heartily approve; with the assurance that all that I can do toward the accomplishment of this object, I shall do; and relying upon your assistance in the performance of the high responsibilities devolving upon me, I promise, for that I shall endeavor faithfully, honestly, and impartially to discharge the duties of my position, under such rules as may be prescribed for the government and regulation of the deliberations of the Convention.

Mr Rindall of Desha, moved that a permanent secretary be elected. Adopted.

Mr Pierson of Cross, nominated Thomas H. Newton of Pulaski.

Mr Walker of Washington county, nominated Gen A.B. Pierce, of Benton County.

The roll was then called and the following is the vote cast.

The following named members voted for Thomas H. Newton Viz;

Anderson (of Lee). Bunch. Bunn. Blackwell.

Brown. Bates. Cypert (of Bates). Cypert (of White)

Copeland. Carroll. Carter. Cagle. Chism.

Dunaway. Dorsett. Dodson. Eakin. Eagle.

Flanagin. Pierson. Gibson. Garland. Gulley.

Goodwin. Howell. Hampton. Horton, Heights

Hawkins. Hanna. Howell. Johnson. Joyner.

Killgore. Kelly. Kinsworthy. Lucas. Lester. Lindsey.

Mansfield. Miller. Irwin. Rindall. Parrott

Polk. Rector. Rutherford. Smoote. Stanley.

Scott. Smith (of Saline) Thompson

Williams (of Little Rock) Williams (of Union) White. Witt.
and Mr. President.

The following named members voted for Mr. N. B. Pierce. viz;
Butler (of Pulaski) Bailey. Berry. Barnes. Bowen. Cunningham.
Downs. Dodson. Fishback. Harrison. Leiper. Lake. Murphy.
Patterson. Pumbey. Pierce. Perkins. Pulliam Rogers. Rose.
Steele. Thomason (of Crawford) Williams (of Jefferson) Walker.

Recapitulation of the vote first had.

Thomas H. Newton received 58. votes.
N. B. Pierce received. 25 votes.
Not voting 8.

Whole number of votes cast. 83. votes.

Necessary to a choice. 42. votes.

Thomas H. Newton having received a majority of all the votes cast was by the President; declared duly elected to the office of Secretary for the Constitutional Convention.

Mr Newton was qualified as required by law and entered upon the discharge of his duties.

On motion of Mr Pendall of Desha the Convention proceed to the election of sergeant-at-arms.

Mr. Hughs of Monroe nominated Martin Bowen.

Mr. Mansfield nominated Col. "Sandy" Faulkner.

Mr. W. S. Hanna nominated Thomas. Hill.

Mr Butler of Pulaski, nominated C. R. McClelland.

The roll was then called and the following is the result of the first ballot.

Thomas L. Hill received		35 votes.
S. C. Faulkner	"	33 votes.
Martin Bowen	"	9 "
C. R. McClelland.	"	6 "

Whole Number of Votes cast, 83.

Necessary to a choice 42

No person having received a majority of all the votes, then was no election, and on motion of Mr. Gibson, of Arkansas county, the Convention took a recess until 4 o'clock p. m.

1st Day

After the Recess!

The Convention was called to order by the President-at-4 o'clock p. m.

Messrs Crowley, of Green county; Reinhardt, of Prairie County; Bowen of Mississippi county; Anderson of Craighead County; and Lewis Williams of Sharp county, not present at the morning session, presented themselves at the bar of the House, and were qualified

Mr Hughes of Monroe withdrew the name of Mr Bowen as Candidate for sergeant-at-arms of the Convention.

Mr Butler withdrew the name of Mr McClelland as Candidate for the same position.

The Secretary then proceeded to call the roll and the following named members voted for Thomas L. Hill viz;

Anderson (of Lee) Bench. Butler (of Pulaski). Berry

Bailey. Barnes. Blackwell. Brown

Cypert (of Baxter) Copeland. Cunningham Crowley

Carroll. Cabler. Dunaway. Dodson. Eagle

Gulley. Goodwin. Hoon. Harrison. Hanna

Johnson. Joyner. Fillgon. Lucas. Lindsey.

Lake. Patterson. Pindall. Pumbey. Pierce

Perkins. Reinhardt. Smoote. Smith of Calhoun Sorrels

Thomason (of Crawford) Thomason (of Washington) Williams (of Sharp

Thompson.

Williams. (of Union) White. Walker. Witt.

The following named members voted for S. C. Faulkner, viz;

Butler (of Independence). Bates. Bowen. Carter.

Carter. Cagle. Chism. Downs. Eakin. Dosw

Flanagen. Frierson. Fishback. Gibson. Honnor. Hughes.
Hawkins. Hampton. Howell. Kelley. Kinsworthy. Leiper.
Lester. Mosley. Mansfield. Murphy. Miller Nixon.
Parrott. Pillsam. Polk. Ross. Rieder. Rutherford.
Stanley. Scott. and President. Williams of Jefferson.

Recapitulation of the vote just had.

Thomas L. Hill received.	46.	votes
S. C. Faulkner "	38	"
Whole number of votes cast-	84	
Necessary to a choice	43.	

Thomas L. Hill having received a majority of all the votes cast- was declared duly elected to the office of Sergeant-at-arms. Mr Hill was then qualified and entered upon the discharge of his duties.

Pending the roll-call Mr Thomason, of Washington county, was qualified as delegate.

On motion of Mr Pindall, the Convention proceeded to elect a door-keeper.

Col. S. C. Faulkner, D. M. Cloud and N. B. Williamson were placed in nomination

The Secretary proceeded to call the Roll and the following is the result of the ballot.

S. C. Faulkner received	61,	votes.
D M Cloud "	14	"
N. B. Williamson "	8	"
Whole number of votes cast	83.	
Necessary to a choice	42.	

S. C. Faulkner having received a majority of all the votes cast was declared duly elected; and having qualified as required by law entered upon the discharge of his duties.

Mr Leiper of Dallas moved that the Convention proceed to the election of two assistant Secretaries.

Mr Cypert moved as a substitute that the Secretary

be authorized to appoint-instead of elect-

Mr White of Phillips, objected to the amendment- He had a friend he desired to present for the position of assistant secretary, and he did not-wish the responsibility of a clerk to be forced upon the Secretary, but that the Convention proceed to elect-

Mr Cyprett withdrew his motion.

H. H. Patterson of Benton placed in nomination the name of A. B. Pierce, for first-assistant-Secretary.

Mr Hanna of Conway nominated Mr Charles C Reid Jr

Mr E. S. Anderson of Craighead placed in nomination the name of Chas Coffin.

Mr Leiper of Dallas placed in nomination the name of W. B. Fielde.

Mr Eagle of Lonoke placed in nomination the name of George W. St-Clair.

Mr O'Connor of Phillips placed in nomination the name of W. H. Govan.

The following is the result of the first-ballot-.

General A B Pierce	received	37. votes.
Chas C. Reid Jr	"	19 "
Chas Coffin	"	20 "
William, Fielde		5 "
William. Govan		8 "
George. W. St-Clair		3 "
Whole number of votes cast		84.
Necessary to a Choice		43

Neither Candidate voted for having received a majority of the votes cast, there was no election and a second-ballot-was ordered.

The names of Mess St-Clair and Govan were withdrawn

The roll was then called as follows:

Gen Pierce received 38. votes;

Chas. C. Reid Jr, received 19 votes;

William Field 9 " ;

Chas Coffin 19 "

There being no election the Convention proceeded to a third ballot.

Mr. Fields name was withdrawn.

Mr. Boswell moved to adjourn until 10 a.m. to-morrow, which was lost.

The roll was then called the third time on the nominations for assistant Secretary, with the following result:

Gen Pearce received 50 votes

Chas C. Reid Jr " 16 "

Chas Coffin " 19 " .

Gen Pearce was declared duly elected, and the oath of office was administered by Judge English.

Nominations for assistants Secretary being in order, Mr White of Phillips county presented the name of R. G. Woods.

Mr Horner supported the nomenation by stating that Mr Woods was a colored man who had stood by his side during the struggle, and hoped he would be elected.

Mr Murphy, of Jefferson, nominated Mr. Reid, but withdrew it before the roll was called.

There being no opposition, Mr. Woods was declared elected, and was sworn in by Judge English.

Pending the call of the roll, Messrs Carroll, Boswell and Patterson were excused from voting.

On motion of Mr Cypert, of White, the selection of pages were left with the Chair, which motion prevailed.

Mr. White, of Phillips, offered the following:

Resolved, That a Committee on elections be appointed by the President to consist of seven members of the Convention.

Mr. Smith, of Saline, offered the following as a substitute, which substitute was accepted and adopted:

Resolved, That a committee of five be appointed by the President to examine into the election and qualification of Delegates to this Convention, whose seats have been contested by persons claiming to have been rightfully elected, and the

the said Committee report to this Convention at the earliest time practicable.

Mr. Smith, of Saline, offered the following:-

Resolved, That a Committee of five be appointed by the President to draft suitable rules for the government of the Convention, and report as early as possible.

Pending the adoption of which Mr. Fishback, of Sebastian, moved to adjourn until, until to-morrow morning at 9 o'clock, which motion prevailed and the Convention adjourned.

Granderson D Murry Vice President of the Convention until

Thomas M Newton
Secretary.

Wednesday, Morning.
July 15th 1874.
9 o'clock

The Convention met, pursuant to adjournment.

Prayer by Rev. Mr. Winfield.

The Roll was called and the following named members answered to their names.

Anderson, (of Lee).	Anderson, (of Craighead).	Bunch.	Butler of Independence	
Butler, (of Pulaski)	Berry.	Bailey.	Burns.	Barnes.
Blackwell.	Brown.	Bates.	Bowen.	Leypert (of Baylor
Leypert (of White)	Copeland.	Cunningham.	Crowley.	Cusler.
Carroll.	Cabler.	Carter.	Cagle.	Chism.
Downs.	Dunaway.	Dorsevelt.	Dodson.	Eakin.
Eagle.	Flanagen.	Frierson.	Gilley.	Fishback
Gibson.	Garland	Goodwin.	Hooser.	
Hampton.	Harrison.	Howard.	Hughes.	

Hawkins. Hamma. Howell. Johnson. Joyner. Kilgore. Kelly. Kneeworthy.
Leiper. Lucas. Lester. Lindsey Lake Mosley. Mansfield. Murphy.
Miller. Nixon. Patterson. Randall. Pennebey. Pierce. Perkins. Parrott.
Pulliam. Polk. Rogers. Ross. Rector. Rutherford. Reinhardt.
Stanley. Scott. Smith, (of Saline. Sorrels. Thomason, (of Crawford)
Thomason (of Washington) Thompson. Williams, (of Jefferson)
Williams (of Little River) Williams (of Sharp) Williams, (of Union)
White. Walker. Witt. and President.

On motion of Mr Howell of White the reading of the Minutes was dispensed with.

The President then announced as a Committee of Elections as required by the resolutions introduced on yesterday as follows to-wit:

Smith, of Saline

White, of Phillips

Howell of White

Garland, of Nevada

Leiper of Dallas

John A. Williams (of Jefferson.

Miller of Randolph.

Mr Smoote of Columbia then introduced the following resolution

Resolved. That in addition to those already elected, and the pages directed to be appointed by the President-the Officers of this Convention shall for the present consist of a Chaplain assistant doorkeeper and post-master.

Mr. Leiper of Dallas then offered as a substitute the following:

Whereas. The people of the State are oppressively burdened with taxation and it is the duty of this Convention to economize and retrench in every direction. Therefore

Resolution 1st. That this Convention create no more Officers than are absolutely necessary to carry on the work of the Convention. That in addition to the Offices already created, it is the sense of this Convention, that the only additional Offices necessary are assistant Sergeant-at-arms, one Post-master and one Chaplain.

2nd. That the members of this Convention be furnished with only one Copy each of the daily papers of the City.

Mr. Walker of Washington moved to strike out the Office of Postmaster which was not agreed to -

Mr Johnson, of Columbia, objected to the substitute, and upon the motion being put by the President the substitute was lost.

Mr Cypert of White, then offered the following resolution.

Resolved, That the Clergy of the city of Little Rock be requested to attend as a favor to this Convention and open its sessions by prayer. Which was adopted.

The Convention upon motion of Mr Sanoote of Columbia proceeded to the election of Assistant Doorkeeper.

The following named persons were then put in nomination

Mr. Johnson, of Columbia placed nomination the name of Benjamin McGuire, of Jefferson.

Mr. Eagle nominated A. G. Gratton -

Mr. Thomason (of Crawford) nominated R. B. Williamson -

Upon the roll being called the following named members voted for Mr. McGuire

Anderson. (of Lee) Anderson, (of Craighead). Bench.

Butler (of Independence). Berry. Bailey. Bunn.

Blackwell. Brown. Bates. Bowen. Cypert (of Barbe

Cypert, (of White) Cunningham. Crowley. Cureton.

Carroll. Cabler. Carter. Cagle. Chisum. Dowell.

Dodson. Eakin. Flanagan. Frierson. Fishback

Gibson. Garland. Gulley. Goodwin. Hampton - House

Harrison. Horton. Hughes. Hawkins. Hanna.

Howell. Johnson. Joyner. Killgore Kelley

Kennerly. Leyden. Lucas. Lester. Lindsey.

Lake. Mosley. Mansfield. Murphy. Miller.

Mixon. Patterson. Pindall Pumney. Pierce

Perkins. Parrott. Pulliam. Polk. Rogers. Ross. Ricaud. Rutherford -
Reinhardt. Smoote. Stanley. Scott. Smith, (of Lafayette). Smith, (of Saline)
Sorrels. Thomason, (of Crawford). Thomason (of Washington). Thompson.
Williams (of Jefferson). Williams (of Little River). Williams (of Sharp). Williams, (of Izard)
White. Walker. Witt. and Mr President.

The following named members voted for R. B. Williams.

Butler. (of Pulaski) Barnes, Berry. Copeland. Murphy. Pumroy. Downs
Sorrels. Thomason, (of Crawford). Perkins Harrison Williams of Jefferson

The following named persons voted for Mr. Gratton

Dunaway. Eagle. Witt

Recapitulation of the vote-stands had

Mr. McGuire received 71 votes.
Mr. Williamson " 12. "
Mr. A. G. Gratton, " 3. "

Whole number of votes cast- 86.

Necessary to a choice 43.

Mr. McGuire having received a majority of all the votes cast, was declared duly elected to the Office of Assistant Doorkeeper and having been qualified entered upon the discharge of his duties.

Mr. Smoote, of Columbia, moved that the names of F. T. Fagan and F. H. Smith be stricken from the Roll call of the Convention until such time as they should appear and qualify

Which was not agreed to.

Mr. Brown of Clayton then moved that the Convention proceed to the election of a Post-Master which after discussion the further Consideration of the subject was postponed until 12. o'clock on next Saturday.

Mr. Frierson then moved to reconsider the action of the Convention had on yesterday respecting the appointment of Pager which after some discussion and a personal explanation from the President the Motion to reconsider was lost.

Mr. Frierson then moved that the Hon Mr. Wood a member of the Congressional investigating Committee be invited

to a seat upon the floor. which motion was unanimously adopted.

Mr. Killgore, of Columbia, introduced the following resolution

Resolved. That a committee of three be appointed by the President to wait upon the Governor and inform him that the Constitutional Convention is now organized and ready to receive any communication he may wish to make.
Which was adopted.

Mr. Lindsey of Searcy then introduced the following resolution.

Resolved. That the rules that Governed the Constitutional Convention of 1836 be adopted for the Government of this Convention if they can be obtained.

Mr. Garland of Nevada. moved that the resolution on Rules submitted on yesterday, be taken up and passed which was agreed to and the resolution passed.

Mr. Pindall of Desha then obtained leave and introduced the following resolution viz.

Resolved. That the President be instructed to appoint the following standing Committees.

Committee of 7.— on Preamble Boundaries and Bill of Rights.
" " 7 " Franchise and Election
" " 7 " Education
" " 9 " Finance, Taxation, Public Debt & Expenditures
" " 7 " Militia
" " 7 " Exempted Property.
" " 7 " Amendments to Constitution
" " 7 " Apportionment
" " 7 " Railroads and other Internal Improvements
" " 5 " Engrossment.
" " 5 " Enrollment
" " 7 " Counties, County seats & County Lines.
" "
" " 7 " Municipal & Private Corporations
" " 7 " Agricultural Mining

Committee of 7 on Legislative Department.

" " 7 " Executive Department

" " 9 " Judiciary

" " 7 " Schedule & Ordinances

Which was read the first time.

Mr. Leiper of Dallas then offered the following as an amendment-viz;

Resolved. That the President of this Convention be requested to appoint at his earliest convenience the following standing committee viz.

1st On Preamble & Declaration of Rights to consist of nine (9) members No 9

2nd On Executive Department and State Offices No 9

3rd On Legislative Department No 11

4th On Judiciary Department No 9

5th On Finance & Taxation ... Debt & expences No 13

Which was read the first time, and with the resolution as introduced by Mr. Pindall of Desha, was referred to the Committee on Rules.

The President has announced the Committee on rules, as follows. viz;

Mr. Smith of Saline

Mr. Garland of Nevada

Mr. Fishback, of Sebastian

Mr. Hamptom of Bradley

Mr. Rector of Garland

Mr. Bunch of Carroll

Mr. Pindall of Desha.

Mr. Thomason of Crawford moved that the members of the press, be admitted to the privileges of the Floor which was agreed to.

Mr. Gibson of Arkansas moved that a committee be appointed to wait upon the clergy of the city of Little Rock. and inform them of the passage by the convention of the resolution introduced by Mr. Cypert of White which motion was changed to the effect that the Secretary should perform such duty under the direction of the president.

Which was agreed to.

Mr. Smith of Saline then moved that the Secretary procure the necessary Stationary for the use of the Convention which was adopted.

Mr. Smoote moved that the Convention take a recess until four o'clock P. M.

Mr. Thomason of Crawford moved to amend by naming the hour of 9 o'clock A. M. to-morrow which was carried and the Convention at ten o'clock and thirty minutes adjourned

Granderson D. Hayes
President

Thomas M. Newton
Secretary.

Thursday Morning.
July 16th 1874.
9 o'clock

The Convention met pursuant to adjournment.

The Secretary proceeded to call the roll, and the following named members answered to their names.

Anderson, J of Lee.	Anderson, J of Craighead)	Branch		
Butler (of Independence)	Brittet, of Cataoka)	Brown		
Bailey	Brown	Burnett		
Blackwell	Brown	Bates		
Bowen	Cayhert (of Baxter)	Cypert (of Pike)		
Copeland	Cunningham	Crowley		
Custar	Carroll	Cables		
Carter	Cagle	Chilson		
Downs.	Dunaway	Dorsett		
Dodson.	Eakin.	Engle.	Flanagin.	Fishback
Gibson	Garland	Gilly	Grodwin,	Foute,
Hampton.	Harrison.	Hermon.	Hughes	Hawkins
Hanna	Horell	Johnson	Joyner	Killgore
Kelly.	Kinsworthy	Leiper.	Lucas	Lester

Lindsey, Lake, Moseley, Mansfield, Murphy
Miller, Niven, Patterson, Pindall, Pumbrey
Pierce, Perkins, Parrott, Pulliam, Peck
Rogers, Ross, Rector, Rutherford, Reinhardt
Smoote, Stanley, Scott, Smith (of Saline), Sorrells
Thompson (of Crawford), Thomson (of Washington), Thompson
Williams (of Jefferson), Williams (of Little River), Williams (of Chicot)
Wilkinson (of Union), White, Wacker, Witt
Vice Presidents.

Those members failing to answer to their names at the call of the roll, were

Messrs. Cox, Hogan (of Pulaski), Smith (of Lafayette),

A quorum of the Convention present.

Prayer by the Rev Dr. Dr Keefe.

The journals of the first and second days, were then read and after corrections were approved.

The President here announced to the Convention, the appointment of Bonnie Myers, John Rector, George A Norton and James Love, as pages for the convention.

Mr. Smith of Saline, Chairman of the Committee on Rules, made the following report, viz:

Mr President.

The committee appointed to draft suitable rules for the proceedings of this convention, in pursuance to a resolution to that effect, adopted on yesterday, have had the same under consideration, and instruct me to report as the result of their deliberations in that behalf, those herewith tendered; all which, rules respectfully

unanimous approval of those composing the committee except so much of Rule 2nd as designates the number requisite to constitute a quorum, and as to which those differing with the majority of said committee declining to make any minority report upon the attention of the convention being particularly called thereto in this report, the same by consent of said convention is accordingly done, all which is respectfully submitted, and said committee ask to be discharged from further action in the premises.

J. M. Smith.
Chairman.

The rules as reported by the committee, are as follows, viz:

Rule 1st. At the hour to which the convention shall have adjourned, the President shall take the chair, and in case there shall not be a quorum present, he may on motion order a call of the house, and send for absent members, and in case the President shall be absent, from sickness or from any other cause, except for vacancy in that office, the convention shall proceed to call a President pro tempore to the chair who shall perform all the duties of the President until the regular President shall appear.

Rule 2nd. Two thirds of the sitting members shall constitute a quorum, and on the appearance of that number by roll call, the house shall proceed to business in the following order;

1st. Prayer.

2nd Reading the journal of the preceding day,

3d Unfinished business,

4th Petitions and Memorials.

5th. Reports of select committees,

6th. Reports of standing committees,

7th. Special orders of the day.

8th. Motions, resolutions and matices,

9th Introduction of Ordinances.

Rule 3d. The President shall preserve order and decorum and shall decide questions of order without debate, subject to an appeal to the convention. He shall also have the right to nominate any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

Rule 4th. All motions and addresses shall be made to the President, the member rising from his seat.

Rule 5th. No motion shall be debated or put, unless the same shall be seconded; when a motion is seconded it shall be stated by the President before debate, and every motion shall be reduced to writing on the request of the President, or any member.

Rule 6th. On any question taken, the ayes and nays shall be entered, if requested by not less than five (5) members.

Rule 7th. If two or more members shall rise at once, the President shall name the member who is first to speak.

Rule 8th. No interruption shall be entered while a member is speaking, but any act forbidden by the President, or by a member through the President, when the

member called to order shall immediately take his seat until permitted by the President, to proceed.

Rule 9th. If a member be called to order for words spoken in debate, the exceptionable words shall be immediately reduced to writing.

Rule 10th. While the President is putting a question, no member shall walk out of or across the house; nor when a member is speaking shall any member engage in conversation or pass between him and the chair.

Rule 11th. No member shall be referred to by name, in any debate.

Rule 12th. Any member making a motion may withdraw it before the question is put thereon, and before amendment is made, but after withdrawal any member may renew the same motion.

Rule 13th. All committees shall be appointed by the President unless otherwise ordered by the convention.

Rule 14th. No person shall be admitted within the bar without consent of the convention, except delegates and officers.

Rule 15th. The previous question shall be put in these words, to wit: "Shall the main question be now put?". It shall be admitted only upon the demand of five members, and until decided shall preclude all amendments ~~and further~~ debate on the main question.

Rule 16th. All questions shall be put in the order moved, except in cases of a second amendment and

filling up blanks, when the amendment last proposed shall be first put; provided, that in filling up blanks the longest time and largest number shall be first put.

Rule 17th. A motion to adjourn shall always be in order except when a vote is being taken, and shall be decided without debate.

Rule 18th. In forming Committee of the Whole, the President shall appoint the chairman before he leaves the chair.

Rule 19th. No member shall speak more than twice to the same question without leave, nor more than once until every member desiring to speak shall have spoken.

Rule 20th. No motion for reconsideration shall be in order unless on the same day or day following that on which the decision proposed to be reconsidered took place. A motion for reconsideration being put and lost shall not be renewed, nor shall any subject be reconsidered a second time.

Rule 21st. The rules of this convention shall be observed in Committee of the Whole, so far as they are applicable, except that, but of the 19th which restricts members from speaking more than twice on the same question.

Rule 22nd. Any resolution or ordinance may be referred to the Committee of the Whole, to be considered on a future certain day and hour; and it shall be the order of the day for the convention to go into the Committee of the Whole on that day and hour.

Rule 23d. No business shall take precedence of the order of the day, except by a vote of two thirds of the convention.

Rule 24th. No motion or proposition on the subject of taxation, or the public debt, shall be discussed on the day on which it is made or offered, and every such proposition shall receive its full discussion in the Committee of the Whole.

Rule 25th. The President shall appoint the following standing committees, viz:

A committee of Seven on Preamble, Boundaries and Declaration of Rights.

A committee of Nine on Judiciary.

A committee of Seven on the Executive Department.

A committee of Seven on the Legislative Department.

A committee of Seven on Franchise and Elections

A committee of Seven on Education.

A committee of Nine on Finance, Taxation, Public Debt, and Expenditures

A committee of Seven on Militia.

A committee of Seven on Exemptions.

A committee of Seven on Apportionments

A committee of Seven on Railroads, and other Internal Improvements.

A committee of Five on Enrollment.

A committee of Seven on Counties, County Lines and County Lines.

A committee of Seven on Municipal and Private Corporations.

A committee of Seven on Agriculture, Mining and Manufacturing.

A committee of Seven on Schedule and Ordinances.

Rule 26th. No rule shall be suspended or altered except by a vote of two thirds of the members present and voting.

Rule 27th. Whenever the convention shall adjourn without specifying the time to which it adjourns, it shall stand adjourned until ten o'clock next day, unless the next day shall be Sunday, - in that event it shall stand adjourned until 10 o'clock the day following.

Rule 28th. All rules that govern Legislative Manual are hereby declared to be the rules governing this convention except where they conflict with the rules adopted by this convention.

Mr Taylor of Elko moved that the report of the committee be received and adopted and the committee discharged, which was carried.

Mr Garland of Nevada, moved that the convention take the rules recommitted by the committee, and act upon each rule separately, which was agreed to.

The convention then proceed to the consideration of Rule One, the same having been read by the Secretary.

Mr Eakin of Humboldt then offered the following amendment; "Strike out the word 'Convention' and insert in lieu thereof the words 'delegates present'", which was adopted.

The rule as amended and adopted by the convention was read as follows;

Rule 1st. If the hour to which the convention

shall have adjourned, the President shall take the chair and in case there shall not be a quorum present, he may on motion order a call of the house and send for absent members, and in case the President shall be absent, from sickness or from any other cause except vacancy in that office, the delegates present shall proceed to call a President pro tempore to the chair, who shall perform all the duties of the President until the regular President shall appear.

The convention then proceed to the consideration of Rule Two.

Mr Flanagin moved to strike out of said rule, the word "sitting", where the word applied to sitting members.

Pending the discussion of the motion of Mr Flanagin, Mr Smith of Saline, Chairman of the Committee on Rules moved to amend the rule by striking out all that part of rule Two, which required two thirds of the delegates to constitute a quorum, and insert in lieu thereof, the words "A majority of all the delegates elected shall constitute a quorum".

Pending the discussion of the amendment just introduced by Mr Smith of Saline, Mr Leiper of Dallas asked leave and obtained permission to introduce the following additional amendment, viz:

"Amend, by adding.- "That on the final adoption of the Constitution, the question being put, shall require two thirds of all the qualified members of the convention."

Mr Gibson of Arkansas moved to lay the amendment on the table, but by consent withdrew the same before being put to a vote.

The Hon J. G. Pierson of Cass has appeared in his seat and answered to his name.

The question recurring on the amendments offered by Mr Leiper,

Mr Killgore of Columbia moved to reject the amendment, which was carried.

The amendment offered by Mr Smith of Saline, was then adopted.

The question then recurred upon the adoption of the rules as amended, and the question being put by the President, it was decided in the affirmative.

Rule 1st, as adopted, with the amendments, reads as following, to wit:

Rule 2nd A majority of the delegates elected shall constitute a quorum, and on the appearance of that number by roll call, the House shall proceed to business in the following order:

1st Prayer

2nd Reading the journal of the preceding day.

3d Unfinished business

4th Petitions and Memorials

5th Reports of select Committees.

6th Reports of Standing Committees.

7th Special order of the day.

8th Motions, resolutions and notices.

9th Introduction of Ordinances.

The question then based to the adoption of Rule three, which being six ayes, eight, nines, ten, eleven, twelve

thirteen, fourteen, fifteen, sixteen, and adopted each rule seperately, as they were reported by the committee.

Upon the consideration of Rule 17, Mr Thomason of Crawford offered the following amendment;

Amend- "or when a motion to adjourn negatived has been the last business before the convention, or when some member is addressing the convention",

Which was adopted.

The rule as amended and adopted reads as follows, to wit;

Rule 17. A motion to adjourn, shall always be in order, Except when a vote is being taken, or when a motion to adjourn negatived, has been the last business before the convention, or when some member is addressing the convention,

The Convention then proceeded to consider seperately, Rules, eighteen, nineteen, twenty; twenty one, twenty two, twenty three and twenty four; and each rule was adopted as reported by the committee

Rule twenty five, was then called up, and pending its consideration, Mr Smoot of Columbia, submitted the following amendment, viz;

Amend by adding— "And the chairmen of the several standing committees of this convention be and they are hereby constituted a committee on the arrangement and revision of the constitution",

Which was adopted.

Mr Scott of Cass then offered the following additional amendment, viz;

Mr President.

I move that the following additional Committees be appointed, to wit:

Committee on State and County Officers other than Executive — consisting of 9 members.

Committee on Salaries and tenure of office 9 "

" on Schedule 5 "

" on Duties 5 "

" on Apportionment 11 "

" on Congressional and Senatorial Districts 9 "

" on Memorials and Ordinances 9 "

" on Federal Relations 5 "

" on Printing — "

" on Revising Journal 5 "

" on Ratification 5 "

" on Miscellaneous Provisions 5 "

Which was rejected.

Mr Mansfield of Franklin then offered the following amendment:

I move that the President appoint a committee on Miscellaneous Provisions"

Which was adopted.

The rule as amended and adopted, reads as follows:

Rule 25th. The President shall appoint the following standing committees, viz:

A committee of seven on Counties, Boundaries and Declaration of Rights.

A committee of five on Judiciary.

A committee of Seven on the Executive Department.

A committee of Seven on the Legislative Department.

A committee of Seven on Franchise and Elections.

A committee of Seven on Education

A committee of Nine on Finance, Taxation, Public Debt, and Expenditures.

A committee of Seven on Militia.

A committee of Seven on Exemptions.

A committee of Seven on Apportionment.

A committee of Seven on Railroads, and other Internal Improvements.

A committee of Five on Enrollment.

A committee of Seven on Counties, County Seats and County Lines.

A committee of Seven on Municipal and Private Corporations

A committee of Seven on Agriculture, Mining and Manufacturing

A committee of Seven on Schedule and Ordinances

A committee of Five on Miscellaneous Provisions.

And the Chairmen of the several standing committees of this convention, be and they are hereby constituted,

A committee on The arrangement and revision of the Constitution.

Rule Twenty six was then taken up and adopted.

Upon the consideration of Rule Twenty Seven,

Mr Walker of Washington moved to insert Nine o'clock in place of ten.

Which was adopted.

Rule Twenty Seven as amended and adopted, reads as follows, viz:

Rule 27th The Convention shall adjourn without specifying the time to which

it adjourns, it shall stand adjourned until nine oclock next day, unless the next day be Sunday, - in that event it shall stand adjourned until nine oclock the day following.

Rule Twenty Eight was then taken up and adopted, as reported by the committee.

Mr Thomason of Crawford then introduced the following to be known as Rule Twenty-nine, viz:

Rule 29th. These rules may be amended by a vote of two thirds of the members present and voting thereon at any time, provided the amendment shall have been proposed at least one day before action thereon.

Mr Brown of Clayton, then introduced the following resolution:

"Resolved, That the Secretary shall have One hundred copies of the rules and order of business, printed for the use of the members of the Convention"

Mr Gibson of Putnam, moved to amend by adding two hundred in place of one hundred.

Pending the discussion upon the resolution introduced by Mr Brown of Clayton,

Mr Askin of Hempstead obtained the floor, and called up a resolution lying on the Secretary's table, and by unanimous consent of the Convention it was read, as follows:

"Resolved, That the Secretary be instructed to procure for each member of the Convention a copy of Scott's Digest, to be returned at the close of the session of this convention."

Whereupon Mr Williamson of Sevier obtained the floor and moved the Convention adjourn, but withdrew the same at the

request of the President, who laid before the Convention the following communications, viz:

"L Rock July 16, 1874

"Hon Sidney Barnes,
Dr Sir.

Please hand the enclosed to the President of your convention as soon as possible, and oblige
Your friend.
J. F. Fagan."

"Little Rock July 16th 1874

"Hon G. L. Royston
President of the Constitutional Convention
of the State of Arkansas.
Dr Sir.

Other public duties of more pressing importance demanding my personal attention, I am impelled to the necessity of resigning the seat in the Constitutional Convention now in session, to which I was elected by the people of Pulaski County.

I therefore respectfully tender my resignation as a member of the honorable body over which you preside, and request that the same be accepted.

With sincerest wishes that the deliberations of the Convention may be conducted in peace and harmony and result in the greatest possible good to the people and State of Arkansas,
I am, very respectfully
Your Obt Servt
J. F. Fagan."

On motion of Mr Bunch of Carroll, the Convention received the resignation of James F. Fagan as a delegate to the Constitutional Convention from Pulaski County

Mr Eakin again called up the resolution to furnish a copy of Gantt's Digest to each member.

Mr Leiper of Dallas moved to amend, by furnishing one copy for each desk, which was not accepted.

Pending the discussion on the resolution introduced by Mr Eakin, the convention at 12 o'clock m. 25 minutes, on motion of Mr Williams of Jefferson, adjourned

Thomas W. Newton
Secretary.

Francis D Blayton
President pro
tem

Friday Morning
July 19th 1872
9 o'clock am

Convention met pursuant to adjournment

The roll was called by the Secretary, when the following members of the Convention answered to their names.

Anderson of Lee. Anderson of Craighead. Bunch.
Butler of Independence. Berry. Bailey. Brown. Barnes
Blackwell, Brown, Bates Bowen. Bynert of Baxter
Bynert of White Cakeland. Cunningham. Crossley Crutchfield
Carroll Corbett. Cutler Cagle, Green
Counts. Dunaway. Dowell. Dodson. Durrin
Earle. Flanagin Fishback Fitzhugh
England Gully. Godwin Horne, Hampton
Harrison. Hobson Hawkins Hanna Howell
Johnson. Joyner Hillgore Kelly Hinsworthy
Leiper Lucas Lester Lindsey Lake
Mosley Mansfield Murphy Nixon Patterson
Pumbley Pierce Parrott Pulliam Polk
Rogers. Ross Rutherford Reinhardt Smoote
Stanley. Scott Smith of Saline Borrello Thompson
Thompson of Crawford Thompson of Washington White
Williams of Little River. Williams of Ouachita Waller
Williams of Union Mr President

The following named members of the convention were absent, viz:

Butler of Pulaski Hughes. Miller. Pindall, Perkins
Rector, Smith of Lafayette. Williams of Jefferson.

Prayer was then offered by the Rev. Peter A. Graves.

The Journal of the preceding day was read.

On motion of Mr Smith of Saline, the reading of that portion of the journal relating to the rules was dispensed with.

The President then stated that owing to the number of committees

being so large, that he had not been able to name them all.

The following committees, were then announced.

On Preamble, Boundaries, and Declaration of Rights.

Henry G. Dunn of Ouachita. — Foster Brown of Clayton.
Sidney M. Barnes of Pulaski. — John S. Anderson of Craighead
Josiah A. Williams of Jefferson. — Horatio G. Williams of Union
Joseph F. Harrison of Yell.

On Judiciary:

Harris Flanagin of Clark — John R. Eaton of Hempstead
Franklin Powell of Jackson. — James J. Dickson of Ouachita
George P. Smoote of Columbia. — James W. Butler of Independence
John J. Horner of Phillips. — Jesse N. Gyger of White
Hugh F. Thomason of Crawford.

On Finance, Taxation, Public Debt, and Expenditures.

William M. Fishback of Sebastian. — Henry M. Rector of Garland
Simon P. Hughes of Monroe. — Joseph W. Morse of White.
B. H. Kinsworthy of Izard. — M. L. Hawkins of Ashley
P. K. Leeper of Lawrence. — W. J. Thompson of Woodruff

On Executive Department

John R. Hampton of Bradley — Henry M. Rector of Garland
Seth J. Howell of Johnson. — W. F. Mansfield of Franklin
W. J. Thompson of Woodruff. — John R. Homer-Scott, of Pope
Ransom Gulley of Izard.

On Franchise and Elections.

Rufus K. Garland of Nevada. — Jno. Anderson of Lee.
Charles Bowen of Mississippi — John W. Cypert of Baxter
Tilford W. Thomason of Washington — Jesse M. Rose of Clark
W. D. Leiper of Yell.

On Apportionment

Duncan L. Kilgore of Columbia. — James A. Gibson of Arkansas
James P. Eagle of Lonoke. — R. Joyner of Lincoln
John Caudle of Calhoun. — George W. Dodson of Newton
Benjamin Worley of Greene.

On Railroads and other Internal Improvements.

Henry M. Rector of Garland — Jacob Custer of Howard
R. F. Walker of Washington — Richard P. Robbins of Sebastian
Lewis Williams of Sharp. — William S. Lindsey of Searcy
Lewis Rutherford of Independence

On Enrollment:

Simon P Hughes of Jefferson. James O. Eagle of Lonoke
C.W. Cash of Pike. BB Dixon of Sevier
DD Cunningham of Grant.

On motion of Mr Flanagin of Clark, Henry G. Dunn of Ouachita, and Wm H. Mansfield of Franklin were added to the committee on Judiciary.

Mr Eakin of Lonoke asked permission to withdraw his resolution directing the Secretary to furnish Gantt's Digest

Mr Thompson of Woodruff offered the following amendment thereto - viz:

"Resolved - That the Secretary of this Convention procure from the Secretary of State, one copy of Gantt's Digest for each member of this convention who shall desire the same and that he shall upon delivering the same to any member take his receipt therefor and charge him therewith, and any member failing to return the same, shall have the value thereof deducted out of his salary as a member of this Convention."

Mr Eakin, asked to have action from the amendment all after the words "receipt therefor," - which was accepted by Mr Thompson

Upon the question being put, the whole matter was rejected.

Here, Mr Hughes of Monroe, Mr Butler of Pulaski, Mr Williams Mr Miller of Randolph - of Jefferson, and Mr Rector of Garland appeared in their seats and answered to their names.

The President announced that on yesterday, several resolutions and motions had been sent to the Secretary's desk by members, which had not been read, and he would order the Secretary to take them up as unfinished business of the preceding day, which was accordingly done.

Upon which a resolution from Mr Gibson of Arkansas was read, as follows, viz:

"Resolved, That the Secretary be required to furnish each member of this Convention, daily, with ten copies of the Little Rock daily papers."

The question recurring upon the adoption of the resolution it was decided in the affirmative.

A division was called for and the resolution carried by a majority of eight.

A resolution from Mr Kelly of Hot Springs was then read. — "Resolved by this convention, that the Treasurer of State report to this convention as early as possible the true condition of the state treasury."

which was adopted.

A resolution was then read from Mr Pitt of Lawrence, as follows, to wit:—

"Whereas, It is now believed that heretofore exorbitant amounts and prices have been paid for public printing, and all other extravagancies conceivable have been indulged in, Therefore, Be it Resolved that a committee of five (5) be appointed whose duty it shall be to recommend to this convention some plan by which all future extortions in the matter set forth in the premises, may be prevented."

Mr Fishback of Sebastian then offered the following as a substitute.

"Whereas, Information reaches this body that the expenses of the government are being defrayed at a increased rate of discount - buying out four dollars for every one of value received; Therefore Resolved, 1st That the Auditor of the State is hereby ordered to cer & issue to myself, warrants, bonds or other evidences of debt, of

any character whatever, until otherwise directed by this Convention.

Resolved, 2nd. That the Treasurer of the State is hereby ordered to suspend the payment of any and all money for any purpose whatever until otherwise ordered by this Convention."

After some discussion, Mr Flanagin of Clark moved to refer the resolution and substitute to the Committee on Finance, Taxation and Public Expenditures, upon which Mr Fishback called for the ayes and noes, which call was sustained by five members.

Hon Mr Pindall of Desha appeared in his seat and answered to his name.

Upon the call of the roll upon the motion to refer, the following named members voted in the affirmative.

Anderson of Ark.	Anderson of Craighead,	Bunch,	Butler of	
Independence,	Butler of Pulaski.	Berry.	Bailey, Crawford	
Conner.	Blackwell,	Bates,	Bowen	
Cypert of Ashley,	Cypert of Miller.	Cunningham,	Conley.	
Crozier	Carnall,	Carter.	Cagle	
Chism	Conner	Crowell,	Cochran	
Catlin.	Cole.	Driesbach.	Dickson	
Garland,	Colley	Dunnaway,	Compton	
Harrison	Fleming	Dunlavey	Cramer	
Howell	Duncan	Rogers	Kelly.	
Kennerly	Dyer	Kellgore	Lindsey	
Locke	Lucas	Lester	Miller	
Nixon	Moorefield	Murphey	Price.	
Perkins	Lindall	Gunter	Pace	
Rose	Pittman.	Pace	Rogers	
Stanley	Pratt	Reinhardt.	Snoddy	
of Crawford.	Robertson	Scott	Thompson	
of Little River.	Williams	of Washington	Trimble	Williams of Union, White
Pratt.		of Izard.		

The following named members voted in the negative.

Fishback of Sebastian, Williams of Pulaski, Walker of Washington and Mr President.

W. W. Smith of Lafayette absent and sent. voting.

Ayes 85
Nays 4
Not voting 1, 90.

So the motion to refer was carried.

A resolution offered by Mr Leiper of Dallas was then called up, as follows, to wit:

"Whereas,— The financial affairs of the State are of the deepest interest to the people, and the state liabilities are an unknown mystery to them, therefore

Resolved, That the Auditor of State be and he is hereby requested to report to this convention at his earliest convenience a full and complete status of all outstanding claims and indebtedness of the State."

Which was adopted.

Mr Hampton of Bradley then offered the following resolution.

"Resolved — That the duties of Post master be assigned to the Secretary of the Convention, and that said Secretary be authorized to employ a Journal Clerk whenever the labors at his desk require one."

Which was rejected.

Mr Conaway of Faulkner then offered a resolution authorizing the election of a Chaplain, which was read by the Secretary and not acted on.

Mr Fishback then offered the following resolution, viz:

"Whereas, By the schedule of the constitution of Arkansas constructed under military auspices in 1868, by three men, to wit: James L. Hodges, Joseph Brooks, and Thomas M. Bowen were charged with such absolute control of the election upon the ratification of that constitution as virtually conferred upon them the power to ratify it, irrespective of the wishes or votes of the people of the state, ..."

Whereas, This constitution, as is now admitted was not in point of fact, ratified by a majority of the votes cast at the election, but was falsely so declared by the above named three men "under the provisions of the schedule of the constitution," and

Whereas, The voters of the State were not, and in the nature of things could not possibly be, aware of the passage of the last act of congress, amendatory of the act, entitled "an act to provide for the more efficient government of the rebel states" which did not become a law until four days before the election for ratification of the constitution, and therefore a large number of them voted under the provisions of former acts of congress, and accordingly did not vote either for or against the officers provided for in the constitution, and

Whereas, Under this confusion of facts a legislature representing a still smaller minority than the constitution itself, and composed in a large measure of men without, entirely estranged, alike to the people and the counties they pretended to represent, was foisted upon the people of Arkansas by a small minority, who under the forms of law and under the cloak of patriotism, proceeded to perpetuate their power, and plunder the state by putting the voice of the majority under restraint; and

Whereas, The people of Arkansas thus deprived of their right to any part or lot in the government of the state, and thus under duress, are by no possible implication parties to any act of the state government thus usurped and of which they have been the helpless victims since its inauguration; and

Whereas, During the long period in which the people of Arkansas have been under such duress a large number of state bonds have been issued by the usurping state authorities, to wit;

Of what are known as Herford Bonds	$1,320,000.
Of what are called State Aid Railroad Bonds	5,350,000.
Of Levee Bonds	3,000,000.

All of which were not only issued contrary to the wishes of the people, but were tainted with fraud, and

Whereas The condition of Arkansas was during this period patent to all the world, and there can, therefore, be no excuse for any innocent holder of any of these bonds; and

Whereas, The people of the state have not only received no valuable consideration for this enormous issue of its credit, but absolute injury instead, and

Whereas, They have paid before the fraudulently issued "Hayford Bonds" within the past six years, a larger amount of interest than both principal and interest of the debt justly due and owing amounts to therefore

Resolved, by the people of Arkansas in convention assembled That while the state of Arkansas would under no circumstances repudiate any honest debt, or even any dishonest debt for which she had received a valuable consideration, she yet feels under no sort of obligation, moral or equitable, to pay any part of these fraudulent bonds; and it is the duty of this body to surround by constitutional provision any encroachment

legislation forever levying a tax, or making an appropriation for the payment of either the principal or interest of the same or any part thereof.

Mr Pickback moved a reference of the resolution just read to the Committee of the Whole on Wednesday next; and after some discussion accepted a postponement until the Monday following.

Mr Flanagin of Clark moved the reference of the resolution to the Committee on Finance.

Here; Mr Eakin of Hempstead sent to the Secretary's desk a memorial of Lev. D.H. Reynolds of Chicot County, contesting the seat of Francis Downs, the sitting member of Chicot which being read is as follows; which after some discussion remained on the table until tomorrow,

"To the Honorable President and Members of the Constitutional Convention of the State of Arkansas.

Your petitioner D.H. Reynolds of Chicot County, would very respectfully represent and show unto your Honor, that he desired to contest the right of Francis Downs to seat in your Honorable body as a Delegate thereto from the county of Chicot and for reasons for said contest, desires to assign the following, to wit;

That at the time of election for Delegate to said Convention, to wit, on the 30th day of June ad 1874, and for sometime thereafter, the said Francis Downs was a county officer of the said county of Chicot, to wit: County Attorney of said County of Chicot, duly and legally elected thereto, by force of the Statutes of the State of Arkansas in such case made and provided and was at the time of said election duly acting as such county officer and that by reason thereof, under the constitution of the State of Arkansas, and an act of the General Assembly of the State of Arkansas entitled an act "Providing for a convention of the people of the State of Arkansas to frame a new constitution" approved 2. May 18th 1874, prescribing the qualifications of a member to said convention, all votes cast for said Francis Downs as a delegate from said County of Chicot to your honorable body, were void and of no effect, and that without this, said Francis Downs was duly elected as such delegate from said County, and this your petitioner was duly elected to said convention as delegate from [60] said convention he, your petitioner having received a majority of all the votes cast in said county at said election for delegate thereto to said convention, other than those cast for said Downs, and this your petitioner prays may be inquired into by this convention, and as in duty bound, this petitioner will ever pray, &c. D.H. Reynolds."

Mr Eakin moved that the memorial be referred to the Committee on Elections.

Mr Smith of Saline introduced the following as a substitute

"Resolved, That each contested case for a seat as delegate to this convention except that from Pecha County, which is now before a committee, be referred to a separate special committee of five (5), to be appointed by the President, with instructions to investigate and report thereon as soon as practicable".

Which after discussion was withdrawn by Mr Smith, and on motion of Mr Killgore of Columbia, the petition was referred to a committee of five.

On motion of Mr Smith of Saline the Lincoln County contest was referred to a special committee of five.

The President then announced the committee of five in the case of the contest of Gen. A.H. Reynolds of Chicot, as following, to wit:

Messrs. Eakin, Yates, Cabell, Butler of Pulaski and Pickland.

In the matter of the contest from Lincoln County,

Messrs Killgore, Peck, Kelley, Reinhardt and Sorrels.

Mr Killgore of Columbia, Chairman of special committee appointed to wait upon His Excellency the Governor, made a verbal report that the committee had waited upon the Governor and in compliance with the instructions of the resolution, that the convention had assembled, was organized and ready to receive any communication he might be pleased to make. That the Governor had stated that under the act calling the Constitutional Convention he was of opinion no increase was contemplated from him, but that should any

matter arise, which the Committee should be informed of, he would not hesitate to communicate it.

Mr. Fishback moved the report of the Committee be received and the Committee be discharged which was adopted.

Mr. Hughes of Monroe then introduced the following resolution

Resolved, That the Committee on finance be instructed to ascertain the amount of the present indebtedness of this State.

2nd. When and by whom, the notes, bonds or other promises to pay are held and what interest they bear.

3rd. What is the present market value of our State bonds.

4th. To what purpose the obligations were created, and what disposition has been made of the funds thus obtained.

5th. The present assets at command with which to liquidate such claims.

6th. The present condition of the school funds of the State, together with any other information elicited respecting the financial condition of the State that may be deemed of value to the Committee and the people

Which was read.

Mr. Fishback called up the resolution introduced by him and on motion of Mr. Flanigan referred to Committee on finance

Mr. Harrison of Gallatin introduced the following resolution as an amendment to the resolution introduced by Mr. Hughes of Monroe, as follows: Viz:

Resolved, That the Committee on finance, taxation, public debt and expenditures is hereby instructed to report what is necessary to be done by this Convention, in order to make public and give information to this Convention, of the management of the finance of this State since the adoption of the Constitution of 1866.

Mr. Gibson moved to refer to the Committee on finance. Carried.

On motion of Mr. Gibson of Arkansas the resolution and the amendment was referred to the committee.

Mr. Walker of Washington then offered the following resolution

Whereas. A special Committee appointed by the Senate May 11th 1864. to investigate the condition of the books papers and vouchers in the Auditor's and Treasurer's Offices; and whereas, Said Committee reported that for want of time they

were unable to make a thorough investigation, which report was adopted by the Senate; and, "resolved by the Senate, that the president be and he is hereby authorized and directed to appoint a committee, to consist of three Senators, whose duty it shall be to examine the books, records, papers, etc, in said auditor and treasurer's office and report the result of their investigation to the next session of the General assembly." Said Committee was authorized to sit during the recess of the legislature and to employ such clerical assistance as they should deem necessary to make a full and complete examination of all of said books, papers, vouchers, etc, in said offices; therefore be it

Resolved, That the Committee on finance be instructed and they are hereby directed to confer with said committee and receive any information that said Senate Committee or any member thereof, may communicate, and report the same to this Convention at as early a day as practicable.

Mr. Killgore of Columbia offered the following as an amendment.

Whereas, The State Senate, at its late extraordinary session, appointed a Committee to investigate the auditor's and treasurer's books; and whereas, we are informed that dissensions and divisions have arisen in said Committee, precluding the probability of a full and free investigation and report; and whereas said Committe, with its corps of Clerks is fastened upon the State till the next meeting of the Legislature, at a heavy expense to the same, without action in the premises by this Convention; therefore

Resolved, That a committee of five be appointed by this Convention to investigate this matter and report at as early a day as possible what action, if any, is necessary on the part of this Convention in reference to this matter.

Which was accepted by Mr. Walker and on motion adopted.

Mr Thomason of Crawford then introduced the following resolution. & is,

Whereas, The people of the State of Arkansas in calling this Convention mainly by the desire to restore the Government of the state to the people, to whom it rightfully belongs and whereas, Special patronage has been a blighting curse to our state and the appointing power has been used for the purpose of advancing party interests and often in utter disregard of the public welfare therefore

Resolved, That it is the fixed and steady purpose of this Convention to reflect the unmistakable wish of the people, and to adopt a Constitution that shall provide for the election by the people of all officers from Governor to Township Constable during the Coming Fall, thereby destroying Special patronage and ensuring a Government by the people and for the people.

Pending the discussion of the resolution introduced by Mr Thomason

Mr Smoote of Columbia moved to adjourn until 4 o'clock P M

Mr Lipsey moved to amend by saying until 9 o'clock to morrow morning. Carried and the House adjourned.

Benedum D Shaughnessy
President

Thomas N. Newton
Secretary

Saturday Morning
July 18th A. D 1874.
9 o'clock am

The Convention met pursuant to adjournment.

The Roll was called by the Secretary and the following named members answered to their names.

Anderson, of Lex. Anderson, of Craighead. Bench.

Butler of Independence. Butler of Pulaski. Berry. Bowen

Bailey. Burns. Barnes. Blackwell. Brown-Bates

Eppert of Baxter. Eppert of White. Copeland. Cummingham

Crowley. Cutler. Carroll. Cable.

Carter. Cagle Chism. Downs.

Dunaway. Dorsett. Dodson. Eakin.

Eagle. Flanagin. Frierson. Fishback.

Gibson. Garland. Gulley. Goodwin.

Howe. Hampton. Harrison Honor.

Hughes. Hawkins. Hanna. Howell.

Johnson. Joyner. Kellogg. Kelley.

Kinsworthy. Lasker. Lucas. Lester.

Lindsey. Lake. Mosby. Mansfield.

Murphy. Miller. Niven. Patterson.
Pendall. Pumtney. Pierce. Perkins. Parrott.
Pulliam. Polk. Rogers. Ross. Rector.
Rutherford. Reinhardt. Semmes. Stanley. Scott.
~~Smith of Lafayette~~. Smith of Saline. Sorrels. Thompson of Crawford.
Thompson, of Washington. Thompson. Williams, of Jefferson Williams, of Little River
Williams, of Sharp Williams, of Pinson. White. Walker.
Witt Mr President.

The following named members failed to answer to their names &c;

V. V Smith, of Lafayette,
Jesse Barker of Pulaski.

A Quorum of the Convention present.

Prayer by the Rev W M. Leeper.

The Journal of the preceding day was then read corrected and approved.

The President then announced the remainder of the following Standing Committees.

The Committee on Municipal & Private Corporations.
John, D. Eaken, of Hempstead,
J. M. Smith, of Saline,
John W. Cypert, of Baxter,
W. J. Hanna of Conway.
R. G. Pierce of Marion,
Charles, Brown of Mississippi
Francis Dowdy of Chicot

Committee on Auditors & Treasurers Books &c

B. F. Walker of Washington.
D. L. Fellgor of Columbia.
P. K Harrison of Yell.
Jesse, A. Rose of Clark
B. H. Crowley of Green.

County and County Lines.

R. H. Garland of Sevadia
B. W. Johnson of Calhoun.
Bradley Branch of Carroll
T. W. Thompson of Washington
S. P. Hughes of Monroe.
B. H. Kenworthy of Lawrence
J. C. White of Phillips

Committee on Miscellaneous Provisions

W. W. Mansfield, of Franklin,
Robert Sorsdeen of Union,

J. P. Hughs of Monroe
J. P. Stanley of Drew
Jacob Custer of Howard

Committee on Schedule and Ordinances

James W. Butler of Independence.
B. B. Thorn of Garber
J. M. Barnes of Pulaski
W. C. Kelley of Hot Spring
R. D. Pulliam of Sebastian
R. H. Scott of Pope
P. P. Smoot of Columbia

Committee on Education

J. M. Anderson of Lee
W. D. Sleeper of Dallas
Benson Gilley of Izard
J. M. Parrott of St. Francis
G. W. Bailey of Boone
J. S. White of Phillips
W. C. Copeland of Crittenden

Committee on Legislative Apportionment-

Bradley Bunch of Carroll
W. W. Mansfield of Franklin
J. M. Smith of Saline
J. P. Hughes of Monroe
Rufus K. Garland of Nevada
James W. Butler of Independence
P. M. Parrott of St. Francis.

Committee on Militia.

B. H. Johnson, of Calhoun
P. H. Williams, of Little River.
A. R. Witt of Van Buren.
John Irwin of Posey.
Edwin R. Lucas of Fulton
Robert Polk of Phillips
W. P. Eagle of Stone

Committee on Agricultural Mining and Manufacturing

B. H. Kinsworthy of Sevier
W. F. Lake of Washington
Elijah Morley of Ouachita
P. M. Rogers of Benton
W. P. Cables of Montgomery
J. E. Bates of Polk
W. S. Hawkins of Ashley.

Committee on Exemptions.

H. F. Thomason, of Crawford
H. H. Patterson, of Benton
John Miller Jr., of Randolph
P. W. Howe, of White
E. F. Brown, of Clayton
P. A. Gibson, of Arkansas
H. G. D. Williams of Ouachita
H. P. Pindall of Desha.

Mr Miller of Randolph moved that Mr Pulliam of Sebastian be added to the Committee on Finance and Public debt - Adopted.

Mr White of Phillips moved that the name of Mr Polk be added to the Committee on Education, which was carried.

Mr Brown of Clayton moved that the name of James G Thurson of Cross be added to the "Committee on Exemptions -" Carried.

Mr Ethins of Garber moved that W. W. Mansfield be added to the Committee on Exemptions. Carried

Mr Rogers moved that Mr Bunch of Carroll be added to the Committee on Agriculture, Carried

Mr Bunn of Ouachita moved that no further additions be made to the various standing Committees except upon motion of the Chairman of the respective Committee which was agreed to.

Mr Flanagan of Clark moved to add the name of S. M. Barnes to the "Committee on Judiciary." Adopted

Mr Hughes of Monroe moved to add the name of Mr Parrott of St Francis to the Committee on Enrollment. adopted -

Mr Garland of Nevada moved that Mr B. T. Johnson of Calhoun be relieved from the Committee on County Seats and County Lines; and Mr Dunaway of Faulkner be added; which was adopted.

Mr Hampton of Bradley Chairman of Committee on Executive Department moved that Mr Stanley of Drew be added to his said committee; which was granted.

Mr Fishback of Sebastian moved that Mr Miller of Randolph be added to Committee on "Finance &c which was Adopted."

Mr Mansfield of Franklin moved that Mr Scott of Pope be added to the Committee on "Miscellaneous

provisions"; which was adopted.

Hon Mr Butler of Pulaski appeared in his seat and answered to his name.

Mr Killgore of Columbia moved that Mr Benn of Ouachita be added to the "Committee on Apportionment", adopted.

Mr Anderson of Lee moved that Mr Cypert of White be added to "Committee on Education", which was granted.

Mr Thomason of Crawford moved that Mr Harrison of Yell be added to the "Committee of Exemption". adopted

Mr Bunch of Carroll moved that 250 copies of the Rules of the Convention and "Standing Committee" be printed. which was adopted.

A Resolution from Mr Dunaway of Faulkner introduced on Saturday Came up under the head of unfinished business", and was read as follows:

"In so much as it is not likely that this body can at all times procure the services of a Chaplain and as it seems to against the dignity of the Convention to Convene without one, or require their services without remuneration therefor.

Be it Resolved. That we go into the election of a Chaplain for the remainder of this Session.

The resolution being put was carried, and the election ordered.

Mr. Thomas, nominated the Rev Mr Moses, of Pulaski

Mr. Leiper, of Dallas nominated Rev. Mr Watson.

Mr. Cypert, of White nominated Rev. Mr Mackey.

Mr. Baker, of Hempstead nominated Rev Mr Trimble

Mr. Brown, of Clayton nominated Rev Mr Danley

Mr. Rose, of Clark nominated Rev W. H. Keep

The Secretary proceeded to call the Roll and the following is the result of the first ballott.

The following named members voted for Rev W. H. Keep viz;

Butler, of Independence. Bunn. Cypert, of Baxter
Dunaway. Eagle. Frierson. Gibson.
Harrison Hawkins, Howell. Johnson. Poyzer Kinsworth

Runningham

Lucas. Lake. Patterson Perkins Polk Rogers
Rose Recko Ruthesford Stanley Williams, of Jefferson
Williams, of Vernon, White and Mc President.

The following named members voted for Rev. Mr Moses. viz;

Crowley. Eagle. Ogisms. Downs. Fishback.
Garland. Gilley. Hamma. Kelley. Lindsey.
Mansfield. Pullam. Reinhardt- Scott. Sonnle-
Thomason, of Crawford- Thomason, of Washington. Williams, of Chas
Walker and Witt.

The following named members voted for Rev Mr Danley-

Anderson, of Lee. Bunch. Baily. Brown. Bowen.
Carroll Dodson. Flanagan. Howell. Hampton
Connor Dugher. Lester. Miller. Price
Parrott & Thompson.

The following named members voted for Rev Mr Watson-

Cypert. Cobler. Carter. Kellgore. Leiper. Nevins.
Smoot. Smith of Saline.

The following named members voted for Rev Mr Garrison. viz;

Baker, of Pulaski, Berry. Barnes. Copeland. Murphy.

The following named members voted for Rev Mr Swindle viz;

Dozarth. Eakin. Pindall.

The following named members voted for Rev Mr Mackey viz;

Anderson, of Craighead. Cypert, of White.

Recapitulation of the votes just had:

Rev Mr Reep	Received	28. Votes.
Rev Mr Moses	"	20. "
Rev Mr Danley	"	17. "
Rev Mr Watson	"	8 "
" Mr Garrison	"	5 "
" Mr Swindle	"	3 "
" Mr Mackey	"	2 "

Whole number of votes cast- 43.

Necessary to a choice 22.

Neither Candidate balloted for having received a majority of all the votes cast; there was no election.

The Convention then proceeded to cast the second ballot-

Mr. Eakin withdrew the name of Rev Mr. Saunders.
Mr. Typpet withdrew the name of Rev. Mr Mackey.
Mr. Copeland withdrew the name of Rev Mr Jennings
The balloting then proceeded.
The following named members voted for Rev Mr Keys:

Anderson, of Lee. Butler of Independence. Butler, of Pulaski
Berry. Bailey. Bunn. Barnes. Bates. Typpet of Bath
Cunningham. Dennaway. Eagle. Fierson Gibson
Goodwin. Harrisbo. Hawkins. Howell.
Johnson. Joyner. Kinsworthy Lucas. Lake
Mosley Murphy. Nixon. Patterson.
Price. Perkins. Polk Rogers. Ross.
Rector Rutherford Stanley Williams, of Jefferson
Williams of Little River. Williams, of Union White.
& Mr President.

The following named Members voted for Rev Mr Moses

Branch. Crowley. Cable. Carlin. Eagle. Ehrson,
Dozier. Fishback. Garland. Gulley. Hampton
Hanna, Kelley. Lindsey. Mansfield. Pulliam
Reinhardt. Scott Sorrels. Thomason, of Crawford
Thomason, of Washington. Williams, of Sharp. Walker
Witt.

The following named members voted for Rev Mr Manly,

Anderson, of Craighead. Brown. Brown. Typpet of White
Copeland. Carroll. Dozwell Dodson
Eakin. Flanagin. Howell. Horton.
Hughes. Lester Miller Parrott.
& Thompson.

The following named members voted for Rev=
= Mr Watson - &c;

Custer, Kellogs. Lipsey. Simmons & Smith, of Calvin

Recapitulation of the Vote first taken.

Rev Mr Keys received 45 votes.
" Mr Moses " 24 "
" Mr Manly " 17 "
" Mr Watson " 5 "

Whole number of votes cast 86.
Necessary to a choice 44.

Neither candidate having received a majority of the votes cast, there was no election.

The Convention proceeded to cast the third ballot.

Mr. Brown of Clayton withdrew the name of the Rev Mr Danley.

Mr Leiper of Dallas withdrew the name of the Rev Mr Galeon

The following named members voted for the Rev Mr Keep.

City.

Anderson, of Lee. Butler, of Independence. Butler of Pulaski.

Berry, Bunn. Barnes. Bates. Caphart of Baxter.
Copeland. Cunningham Conaway. Eakin. Eagle.
Flanagan. Frierson Gibson. Goodwin. Harrison.
Horton. Hughes Hawkins. Howell. Johnson.
Joyner. Kenworthy. Leiper. Lucas. Lake.
Murphy. Patterson. Pierce. Perkins. Parrott.
Polk. Rogers. Ross. Reeder. Stanley.
Smith, of Saline. Thompson. Williams, of Jefferson. Williams, of Little River.
Williams, of Monroe White & Mr President.

The following named members voted for Rev. Mr Moser - City.

Anderson of Craighead. Bunch Bailey
Blackwell. Brown. Bowen. Caphart of White. Crowley. Custer.
Carroll. Cabler. Carter. Cagle. Chism. Downs. Dowell.
Dodson. Fishback. Garland. Gulley. House. Hampton.
Hanna. ~~Howell~~. Kellgore Kelley. Lester Lendsey.
Mansfield. Miller. Niven. Quinney. Pullian. Rutherford.
Reinhardt Smoote. Scott. Sowell. Thomason, of Crawford,
Thomason, of Washington. Williams, of Sharp. Walker White.

Mr Pindall, of Delta voted for the Rev Mr Trimble.

Recapitulation of the vote just had.

Rev Mr Keep received 44. Votes.
Rev Mr Moser " 42. "
Rev " Trimble " 1 "

Whole number of votes cast. 87.

Necessary to a choice. 44.

Rev Mr Keep having received a majority of all the votes cast was declared duly elected to the office of Chaplain for the Convention

Mr Williams of Sharp moved that the President appoint a Committee of three to wait upon the Rev Mr Keep and inform him of his election.

The President appointed as such Committee Mr Williams of Sharp, and Messrs Walker and White.

Mr Bunch of Carroll moved that Mr Pindall of Desha, and Mr Fishback, of Sebastian, be added to the Committee on Legislative department; which was adopted.

The Convention proceeded to the consideration of the resolution introduced by Mr Thomason, of Crawford, on yesterday.

Mr. Frierson, of Cross, moved to refer the resolutions to the "Committee on Judiciary".

Mr Thomason, of Crawford, called for the "ayes and noes" upon the motion to refer, which was sustained.

The roll being called by the Secretary the following named members voted in the negative. viz.

Anderson, of Lee,	Bunch.	Butler, of Pulaski,	Berry.	
Barnes.	Bates.	Bowen.	Bayless, of White.	Bypert of Baxter
Copeland.	Cunningham.		Custer.	Carroll.
Cabler.	Eagle.	Chism.	Downs.	Dermeway.
Dodson.	Fishback.	Gibson.	Goodwin.	Harrison.
Horton.	Hanna.	Howell.	~~Johnson~~.	Killgore
Kelley.	Kenseworthy.	Lupton.	Lucas.	Lindsey.
Lake.	Mansfield	Mayfield.	Miller.	Niven
Patterson.	Pumphrey.	Pierce.	Perkins.	Parrott.
Pulliam.	Polk.	Ross.	Preston.	Scott.
Smith, of Saline.	Sorrels.	Thomason, of Crawford.		
Thomason, of Washington.		Williams, of Jefferson.		
Williams, of Little River.		Williams, of Sharp.		
Williams, of Marion,		White. Walker & Mr President—		

The following named members voted in the affirmative. viz;

Anderson, of Craighead,		Butler, of Independence.	Bailey	
Bunn.	Blackwell.	Brown.	Crowley.	Carter.
Dodson.	Eagle.	Flanagin.	Frierson.	Garland.
Gulley.	House.	Hampton.	Hughes.	Hawkins
Joyner.	Lester.	Mosley.	Pindall.	Rogers.
Rutherford	Reinhardt.	Smoot.	Stanley.	Thompson.
Witt.				

In the negative 57 votes.
In the affirmative 29 "
Not voting 5
91

So the motion to refer was lost.

Mr Mansfield, of Franklin, called up the amendment offered on yesterday by Mr Chism of Sevier, which is as follows: viz:

Resolved. That there are Offices which were created under the present Constitution of the State which are useless and should be abolished.

The question being put the amendment was adopted.

Mr Eakin of Hempstead then offered the following amendment viz:

2nd Whilst this sentiment pervades all offices it is not meant to preclude some other mode of electing Judicial officers, if on due deliberation we shall find the same to be for the good of the people. But withdrew the same before the question was put.

Mr Rector of Garland then introduced the following as an amendment. "and that in the election of said officers, the people shall vote viva voce". which was not adopted.

The question then recurring upon the adoption of the resolutions as amended, and the ayes and noes being ordered the Secretary proceeded to call the roll.

The following named members voted in the affirmative

Anderson, of Lee, Anderson, of Craighead, Bunch. Butler, of Pulaski.
Berry. Bailey. Bunn. Barnes. Bates. Bowen.
Cypert, of Baxter. Cypert of White. Copeland. Cunningham.
Crowley. Crister. Carroll. Cabler. Carter. Cagle.
Chism. Downs. Dunaway. Dorsett. Dodson. Eakin.
Eagle. Flanagan. Frierson. Fishback Gibson. Galley.
Goodwin. House Hampton. Harrison. Connor. Hughes.
Hawkins. Hanna. Howell. Johnson. Joyner. Kellgore.
Kelley. Kingsworthy. Leiper Lucas. Lindsey. Lake.
Mosley. Mansfield. Murphy. Miller. Niven. Patterson.
Pindall. Pumney. Pence. Perkins. Parrott. Pelham
Polk. Rogers. Ross. Rucker. Rutherford.
Reinhardt. Smoot. Stanley. Scott. Smith, of Saline,
Sorrels. Thomason, of Crawford, Thomason, of Washington
Thompson. Williams, of Jefferson. Williams of Little River
Williams, of Sharp. Williams of Union. White.
Walker Witt. & Mr President.

The following named members voted in the negative, viz.

Butler, of Independence, Blackwell, of Perry. Brown, of Clayton,
Garland of Nevada, Lester of Lawrence.

In the affirmative 83. votes.
In the negative 5 "
Not voting 3.
91

So the resolutions were adopted.

When the name Mr Eagle of Crooke was called, he sent to the Secretarys desk the following explanation of his vote.

Reserving to myself the right to select the mode of electing the judicial officers I vote Yea. P. P. Eagle
Crooke County.

When the name of James, N. Gibson of Arkansas was called, he sent to the Secretarys desk the following explanation of his vote

1st "I vote for the resolution first because I am in favor of the people electing every officer from the Governor down to the Constable.

2nd " I am anxious to let the people of the State know as soon as possible, how the Convention stands on this important matter, and especially to let my Constituents know that I will carry out the pledges I made them on this subject.
as well as any other pledges made in my canvass before them.

When the name of W. S. Hanna, of Conway was called, he sent to the Secretarys desk, the following explanation of his vote. viz".

"I favor the resolution because I think it is due to the people, that they have an expression of the feelings of this Convention upon this subject-and also because I shall ever contend that every officer both state and county be made elective by the people. I therefore vote aye.

When the name of McLindsey of Searcy was called he sent the following to the Secretaries desk, in explanation of his vote.

I vote aye because I wish to place myself, square on the record in favor of the resolution.

When the name of A. R. Witt, was called he sent to the Secretaries desk the following explanation of his vote.

I now vote yea because my constituents are in favor of making all offices elective by the People I only voted to refer the resolutions to get shut of them as I considered them premature and would save time and expense.

The hour of 12 o'clock m having arrived the Convention passed to the Consideration of the Special order of the day. "The Consideration of the Election of Post-Master for the Convention", on the motion introduced by Mr Brown of Clayton.

Mr White of Phillips moved as a substitute that the Convention take up the resolution offered on yesterday by Mr Hampton of Bradley." abolishing the duties of Post-Master to the Secretary" and that the Secretary be authorized to employ a "Journal clerk" when the labor al-

his desk requiries one, which motion was adopted.
The main question was then put and the substitute carried.
Mr House of White offered the following resolutions and moved that the same be referred to the Committee on Judiciary.

Whereas, Our state credit has become much impaired and her people bankrupt in consequence of the enormous taxes heaped upon them, and

Whereas, The financial condition of the state is involved in much doubt and uncertainty in consequence of the vast amount of railroad aid bonds and Levee bonds having been issued upon the part of the state within the last few years, and

Whereas, Our future prosperity in a great measure depends upon the financial policy that may be adopted by this convention, that it is highly important that our state credit should be sustained, and our people inspired with new hope and confidence,

Therefore, be it

Resolved by this Convention, That the committee on the judiciary be, and they are hereby instructed to critically examine the act of 1868 entitled "An Act to aid in the construction of railroads" approved July 21. 1868 and see whether or not the State has incurred any legal responsibility in the issuance of said railroad bonds.

That they are further instructed to carefully examine an Act of 1869 entitled "An Act providing for the building and repairing of the public levees of this State" and for other purposes" approved March 16. 1869 and also the amended act approved March 23. 1871 and see whether or not the provisions in said acts authorizing the loan of the State credit, come in conflict with the ninth and tenth sections of article five of the state constitution in which it reads as follows

"Section 9. The state may contract debts to supply casual deficits or failures in revenues or to meet expenses not otherwise provided for: and the money arising from the contraction of such debts shall be appropriated to the purpose for which it was obtained, or to pay the debts so contracted and to no other.

Section 10. In addition to the above power the state may contract debts to repel invasion, suppress insurrection, preserve the public peace, defend the state in time of war, or to redeem the present outstanding indebtedness of the state; but the money arising from the contracting of such debts shall be applied to the purpose for which it was raised, and no other and all debts incurred to redeem the present outstanding indebtedness of the state shall also be so contracted as to be payable by the sinking fund hereinafter provided for, as the same shall accumulate," and that they be instructed to report at the earliest practicable moment.

Mr Hearon of Carroll then offered the following;

Whereas, Cleanliness is essential to health and comfort; and

Whereas, The doorkeeper and assistant door-keeper, owing to extreme old age and consequent infirmities of the former, and the inability of the latter to discharge so many duties in addition to those properly belonging to his office; therefore,

Resolved, That this Convention proceed to the election of a janitor whose duty it shall be to sweep the floor, arrange the desks, supply water, and perform all other duties pertaining to his office and the keeping of this hall in order.

Mr. Hubback moved as an amendment that the stoves and the railing around the lobby be removed, and the space occupied with desks.

Mr. Smoote made a verbal motion that the officers already elected be requested to perform their duties.

Pending the further consideration of the resolution the Convention at 1. o'clock & 35'. minutes -. adjourned.

Franchiman D Shyltus
President pro tem

Thomas W. Newton
Secretary.

Monday Morning.
July 29th 1874.
9 o'clock.

Convention assembled pursuant to adjournment.

And was called to order by the President.

The Roll was called by the Secretary when the following members of the Convention answered to their names only;

Anderson, of Lee.	Anderson, of Craighead.		Bunch.		
Butler, of Independence.	Butler of Pulaski.		Berry.	Bailey.	
Benn.	Barnes	Blackwell.	Brown.	Baker.	
	Bowers.	Bypert, of Bawler,	Bypert, of White;	Copeland.	
Cunningham.	Crowley.	Custer.	Carroll.	Caden.	Carter.
Eagle.	Olsen.	Evans.	Dunaway.	Dorsett.	Dodson.
Eaken.	Eagle:	Flanagan.	Fishback.	Gibson.	Garland
Gulley.	Godwin.	Howell.	Hampton.	Harrison.	Howard.
Hughes.	Hawkins.	Hanna.	Howell.	Johnson.	Boyer.
Kilgore	Kelley	Kennedy.	Lupin.	Lucas	Lester
Lindsey		Morley.	Mansfield	Murphy.	
Miller.	Nevins	Patterson.	Randall	Rumley.	

Price. Perkins. Parrott. Pulliam. Polke Rogers. Ross. Rencher.
Rheinhardt. Smoote. Stanley Scott. Smith of Salina. Sowels.
Thomason of Crawford, Thomason of Muskingum. Thompson.
Williams of Jefferson. Williams of Little River. Williams of Sharp
Williams of Stanly. White. Walker Watt. & McPresident.

The following members were absent; viz;

Blackwell. Frierson. Lake. Rutherford. & Smith of Lafayette.

Rutherford. & Frierson were excused on account of sickness.

Prayer by the Rev. Mr. Mc Keer, Chaplain of the Convention.

The Journal of Saturday was then read by the Assistant Secretary.

Mr. Smoote of Columbus asked to have the Journal corrected, wherein he is made to say that he offered a verbal resolution as he had been directed by the President to advise his resolution to evening and the Convention adjourned before he could do so.

The President then directed that the unfinished business of the Secretarys desk be taken up.

The Secretary then read the motion of Mr Rector of Garland introduced on Saturday as follows.

Resolved. That if there is not already a select committee to examine into each contested election case that the President of the Convention shall appoint a select committee for each case presented by petition or otherwise

The resolution before being acted upon was withdrawn.

The following resolution introduced on Saturday by Mr Hanna of Conway was then read by the Secretary.

Whereas. Cleanliness is essential to health and comfort, and Whereas the door-Keeper and assistant door-keeper owing to the extreme old age and consequent infirmities of the former; and the inability of the latter to discharge so many duties in addition to those properly belonging to his office. Therefore be it

Resolved. That this Convention proceed to the election of a janitor, whose duty it shall be to sweep the floor, arrange the desks supply water and perform all such duties pertaining to his office and the keeping of the hall in order.

Mr Smoote of Columbia offered the following.

Offer this as a substitute for original resolution and amendment

Resolved. That the President of this Convention be requested to direct the door-keeper and his assistant to discharge the duties which the original resolution would confer on.

a Janitor, as those duties ought properly to pertain to the Office of door-keeper.

Resolved. If it should appear that the door-keeper is too old and his assistant unable or unwilling to discharge those duties then the Convention should discharge them and appoint persons who are able and willing to do so.

Which substitute was adopted in lieu of the original motion. And after discussion the substitute was rejected by the Convention.

Mr. Williams of Jefferson then made a motion that the Convention proceed to the election of a Janitor for the Convention which was declared to be out of order.

Mr Bunn then presented the petition of Mr. J. C. S. Whitsett contesting the election of Mr Copeland the sitting Delegate from Crittenden County.

Which was then read by the Secretary as follows. viz:

To the President and members of the Constitutional Convention now assembled.

Your petitioner J. C. S. Whitsett, respectfully says that he is and has been for the period of nine years, a citizen of Crittenden County, Arkansas that he is a qualified elector of said County and was on the 5th day of June 1874: That neither on said day did he hold or does he hold any Office under the United States or of the State of Arkansas.

Petitioner further says, that at the Election held in said County for Delegate to represent said County in the Constitutional Convention now assembled he was a Candidate for such position of Delegate and that he recvd the highest number of votes in said County at said Election of all the persons then candidates and voted for, for said position except W. L. Copeland, who now occupies his seat in the Convention, but who at the time of said Election was the duly Commissioned and acting Assessor of said County, and the petitioner says all the votes cast for said W. L. Copeland were null and void, and that he the petitioner is entitled to said seat in this Convention.

Whereupon petitioner prays to be permitted to contest the seat of said Copeland and asks respectfully, this Convention to determine his said contest according to Law, the facts and the very right of the case as soon as may be done and as in duty bound will ever pray &c

J. C. S. Whitsett
Contestant

And on motion of Mr Bunn, of Arkansas the petition was referred to a Special Committee to be

Appointed by the President &c:-

Mr H. G. Burns of Pocahontas
Mr Berry of Phillips
Mr White of Phillips
Mr Howell of Johnson & Mr Bates of Polk.

At the request of Mrs Burns & White, they were excused by the Convention from serving on the Special Committee last appointed. & then the President named Jesse A. Cox of Clark and Robert Pelt of Phillips as members of said Special Committee.

Mr J. H. Williams, of Little River, presented the petition of citizens of Little River County praying the removal of County site from Rocky Comfort to Richmond.

Mr Eagle of Lonoke moved that the petition be rejected, which motion was not carried, and the President directed that the petition be referred to the Committee on County & County Seats and County lines.

Mr Williams, of Jefferson moved as an amendment that the petition be referred to the committee on Judiciary which was not carried, & the petition was referred to the Committee on County, County seats and County lines.

The Committee appointed by the President to notify the Rev. W. W. Keen that the Convention had chosen him Chaplain made the following report.

Mr President the Committee appointed to wait upon the Chaplain elect Rev. Mr Keen have instructed me to report that we have discharged that duty, and that the Chaplain elect has accepted that position all of which is respectfully submitted. Williams, & Sharp.

The report was received and the Committee discharged.

Mr Carroll of Madison presented the following resolution

Resolved; That the Secretary be instructed to furnish each member of the Convention, ten one cent newspaper wrappers and three stamps for letters or three stamped envelopes each day,

Which on motion of Mr Fishback was laid on the table.

On motion of B. F. Walker, of Washington, Mr J. P. Sorrels, of Scott be added to the Committee on Medicines and Treasurers Book.

Williams & Sharp moved to rescind the resolution ordering papers to members.

After Considerable discussion, on motion of Mr Thomason, of Clark

That the Committee suspend the rules, in order that the original resolution might be reconsidered.

Mr. Rector called for the ayes and noes, and on a call of the Roll the rules were suspended by the following Vote.

Those Members voting in the affirmative were =

(Vote on Resolution to reconsider motion of Gibson about News-papers.)

= Anderson, of Lee. Anderson, of Craighead, Bunch, Daily.
Bates, Bowen, Bryant, of Baxter, Cunningham
Custer, Carroll. Cobbin, Carter, Eagle.
Chism. Dunaway. Dorsett. Dotson. Eagle.
Flanagin. Gulley Goodwin, Hampton.
Harrison Horton. Hughes. Hanna, Howell.
Johnson. Killgore Kelley. Kinsworthy,
Leiper. Lucas. Lester Lindsey Mosby
Mansfield. Miller. Niven. Pumphrey. Pierce.
Pindall Parrott. Pulliam. Polk Ross.
Rector. Reinhardt. Smoote. Scott Smith, of Sebine
Sorrels. Thomason, of Crawford, Thomason of Washington
Thompson. Williams of Little River Williams of Sharp
Williams, of Benton, White. Walker A. B. & Mr President

Those members voting in the negative were as follows viz.

Butler, of Independence. Butler of Pulaski. Berry. Brown. Barnes
Brown. Crowley. Cokeland. Downs. Eakin. Fishback
Gibson. Garland. House. Hawkins. Joyner. Murphy
Patterson Perkins. Rogers. Stanley.

Recapitulation of the Vote just had.

The members voting in the affirmative were 62.

" " voting " " negative " 22.
" " absent and not voting 7
Total 91.

So the rules were suspended and the newspaper resolution was reconsidered

Mr. H. M. Rector, of Garland, moved to allow each Delegate one newspaper daily.

Mr Thomason, of Washington, offered the following Substitute "I move that each member of this Convention be furnished with two news-papers (Gazettes) and ten one cent Extra/pers each day."

The Substitute was accepted.

Mr. Thomason, of Crawford asked if the Substitute

was subject to amendment.

The chair so ruled

Mr Chroote, of Columbia raised the point of order that the substitute would not be subject to amendment until adopted by the Convention, which was overruled.

Mr Johnson, of Calhoun, then introduced the following Amendment

"I move to amend by not allowing any members any papers or postage.

Mr Gibson of Arkansas who introduced the original motion here asked leave to withdraw the motion.

Mr Williams, of Jefferson made a motion that Mr Gibson be permitted to withdraw the Resolution which was adopted, and the Resolution was withdrawn.

Mr E. J. Pindall, of Osha, then presented his resignation which he read.

Mr President.

I beg to tender my resignation as a Delegate to this Convention from the County of Osha.

In tendering my resignation I desire to state that in as much as my seat is Contested, and the case is now pending and has been submitted to a committee. I do not know the conclusion to which that Committee may arrive. I simply desire to remove any obstacle on the way of this Convention admitting the Contestant to a seat if the evidence shows he is entitled to it, and submitting the question back to the People if in the judgement of this Convention the evidence is not sufficient to entitle the Contestant to a seat in this Convention.

E. J. Pindall,
of Osha.

On motion of Mr Gibson, of Arkansas, the resignation of Mr E. J. Pindall was accepted.

The following Resolution was offered by Mr Hughes, of Monroe

"That the President of this Convention appoint a short hand reporter for the Convention.

Mr Thompson, of Wordruff, offered the following substitute

Resolved, That a Committee of three be appointed by the President to ascertain the cost of employing a short-hand Reporter, and having the proceedings of this Convention published.

Mr Dunaway of Faulkner made a motion to lay both the resolution and substitute on the table. which was adopted.

Mr Fishback of Sebastian, made a motion to add the name of John A. Williams of Jefferson, to the Committee on Finance, which was agreed upon.

The following resolution was introduced by Mr Smith of Columbia.

Resolved, That the Committee on Exemptions be requested to inquire into the propriety of inserting in the Constitution the following sections.

1st. Every homestead not exceeding one hundred and sixty acres of land and the dwellings and appurtenances thereon, owned and occupied by any resident of this State not in any City, Town, or Village, and not exceeding twenty five hundred dollars in value, or in lieu thereof any lot in any City, Town, or Village with the dwelling and appurtenances thereon owned and occupied by any resident of this State not exceeding in value twenty five hundred dollars in either case to be selected by the owner shall be exempted from sale on Execution or any other final process of any Court - provided nevertheless that such homestead shall not be exempt from sale for taxes, for the payment of obligations Contracted for the purchase thereof, for the erection of improvements thereon, or for debts due the State, County, Township, School, or other trust-fund.

2nd. If the owner of a homestead die, leaving a widow but no children, such homestead shall be exempted and the rents and profits thereof shall accrue to the benefit of such widow during the time of her widowhood. unless she shall be the owner of a homestead in her own right, or shall have applied for, and had dower allotted to her in other lands whereof her husband died seized and possessed.

3rd. The homestead herein provided for shall after the death of the owner thereof be exempt from payment of his debts, for the use and benefit of his Children or any one of them during minority

The General Assembly shall provide for the exemption of a reasonable amount of personal property, from seizure and sale under execution or other final process of any court, in behalf of all the residents in this State; And, until such provisions be made the personal property of any resident of this State who is a married man, or the head of a family shall be so exempt from seizure and sale to the value of Five hundred dollars.

which resolution on motion of Mr Smoote of Columbia was referred to the "Committee on Exemptions"

Mr Bradley Bench of Carroll by motion had the name of H. H. Patterson, of Benton, added to the Committee on Legislative Department"

On motion of Mr Fullgore of Columbia, Mr W. H. Bailey of Boone and W. C. Kelly of Hot Springs, were added to the Committee on "Appropriations".

Mr Thompson of Woodruff introduced the following resolution

Resolved. That the several Executive State officers of this State be requested to report to this Convention, as soon as practicable the number of clerks and employees on their respective departments, and the salaries of each, and in what manner the same are paid, also current monthly expenses of each department and an estimate of the lowest amount for which each department can be conducted per month in Currency.

Resolved, That the Treasurer of this State be requested to furnish this Convention with the amount of sinking fund tax paid into the Treasury on account of the taxes of 1872 and 1873, and what portion if any has been disbursed and on what account,

Mr Flanagin moved that the resolution be referred to the "Committee on Finance"

Mr Decker objected to the reference and expressed the hope that the Convention would not sustain the motion to refer.

Mr Flanagin withdrew his motion to refer and the resolution was adopted.

On motion of H. F. Thomason, of Crawford, Mr George D Smoote of Columbia was added to the "Committee on Exemptions" vice Mr Pindall resigned.

On motion of Mr Fishback the Senate Chamber was assigned to the "Committee on Finance" which was adopted

On motion of Mr Hampton of Bradley, the Convention then adjourned to meet at 9 o'clock a m to-morrow.

William D Bradley
President

Thomas W. Newton
Secretary

Tuesday Morning
July 21st A.D 1874
9 o'clock

The Convention met pursuant to adjournment.

The Secretary then called the roll, and the following named members answered to their names. to wit:

Anderson & Lee. Anderson & Craighead, Branch.
Butler & Independence. Burns Bailey Brown.
Blackwell Bates. Bowen. Cypert & Barker.
Cypert & White, Copeland Cunningham. Crowley.
Custer Carroll Cabler. Carter Cagle
Chiesm. Downs Dunaway. Dowell. Dodson
Eakin Eagle. Flanagin. Frierson. Fishback
Gibson. Garland. Gulley. Goodwin. Howe
Hampton Harrison Horner. Hughes. Hawkins
Hanna. Howell. Johnson. Joyner. Fellgon
Kelley Kenzeworthy. Lipsey Lusk Lindsey
Lake. Mosley Mansfield. Murphy. Miller.
Nixon Patterson Pumbey Price Parrott
Pulliam Polk. Rogers. Ross. Reinhardt
Smoot Stanley. Smith, of Saline, Sorrels. Thomason, of Crawford
Thomason, of Washington. Thompson. Williams of Jefferson
Williams of Sharp. Williams, of Union. Walker.
Witt & Mr President.

The following named members failed to answer upon a call of their names.

Messr Butler, & Barnes, of Pulaski.
Mr Bowen of Clayton
Mr Lucas of Fulton.
Mr Scott of Polk
Mr Perkins of Pulaski
Mr Williams of Sharp.
Mr Rector of Garland.

Prayer by the Chaplain.

The Journal of the proceeding day was read. and approved

Mr Barnes of Pulaski
Mr Rector, of Garland,
Mr Williams of Little River.

Mr White of Phillips
Mr Brown of Clayton.
Mr Polk of Phillips
Mr Lucas of Fulton.
Mr Perkins of Pulaski
Mr Scott of Pope
- Appeared in their seats and answered to their names,

Mr Killgore Chairman of the Committee on Apportionment asked permission to call the Committee together and sitin to consider of their duties; which was granted.

Mr Eakin Chairman of the Special Committee to whom was referred the Contested Election case from Chicot County made the following report, viz:

To the President and Delegates of the Constitutional Convention for the State of Arkansas.

The Select Committee to which was referred the petition of Gen. D. H. Reynolds contesting the seat of the member from the County of Chicot, report that they have taken the matter under consideration and that the parties appeared before them on petition, whereupon the sitting member filed the following Demurrer to the petition to wit:

To the Honorable President and members of the constitutional Convention of the State of Arkansas:

In response to the petition of D. H. Reynolds asking to contest the seat of Francis Downs Delegate from Chicot County, the said Francis Downs appeared in person before the Special Committee to whom this case was referred and files this his demurrer to the petition of D. H. Reynolds because said petition does not set forth any legal grounds upon which to base his contest and assigns the following reasons

1st The holding of any office either state or County does not disqualify a person from holding as a Delegate to the Constitutional Convention of the State of Arkansas.

2nd, The County attorneyship is not such an office as by Sec 11 Art 5th of the Constitution of the State of Arkansas as would disqualify a person from holding a seat in either branch of the General Assembly and therefore could be no disqualification from holding his seat as Delegate to a Constitutional Convention of the State of Arkansas.
Therefore, the said Francis Downs asks that the petition of the said D. H. Reynolds be rejected. Francis Downs

The defendant requested to stand upon his demurrer and that we should report upon the same to the Convention with the request that if the demurrer should not be sustained by the Convention he may still be allowed to introduce evidence as to the facts.

Whereupon the Committee heard arguments of parties on the demurrer, and are of the opinion that the same is well taken on both points and therefore recommend that the sitting member be declared properly qualified, as well as duly elected to his seat in this Convention.

J. R. Eakin,
Chairman.

On motion of Mr. Eakin the report of the Committee was received adopted. The Committee discharged and the sitting Member declared entitled to retain his seat.

Mr. Butler, of Pulaski, appeared in his seat and answered to his name.

Mr. Smith, of Saline, Chairman of the Special Committee to whom was referred the Contested election case from Desha, submitted the following report viz:

Mr. President,

The special committee to whom was referred the contested election case of Penoyer Jones against E. P. Pindall for a seat as Delgate in the Convention from the County of Desha, respectfully, Report:

That both of said parties having been notified, appeared before the Committee and upon being requested to state in what manner they desired to proceed, they submitted the case as to which of them is the rightfully elected Delegate of said County to be determined upon, the following papers and agreed statement of fact to wit-

1st. The papers marked "A" "B" "C" and "D" returned to this Convention on the first day of its sitting by the State Board of Supervisors of Election;

2nd. The attested copy of the returns of the County Board of election Supervisors to the State Board of Supervisors of Election marked "A" hereto annexed;

3rd. That the abstracts of the votes cast for them respectively as candidates for such Delegate in Scrub-Grass, Chester Randolph, Richland and Jefferson Townships as per paper hereto annexed, marked "B" is correct;

4th. That the tickets a true copy of which is hereinafter set forth were the tickets used in voting for said Jones and Pindall at the various election precincts by the electors, and which the Judges of election as to said Jones refused to certify as having been cast for him as Delegate and that the other, Pindall tickets were certified;

Your Committee upon such agreed statement of facts and submission deemed that the sufficiency of the notice and particular specification of the Grounds upon which said Contest is made was waived

by said Pindall, and after argument of said case by and on behalf of both of said parties the case was by them submitted to be determined which of them was rightfully elected and having duly considered the same your Committee have arrived at the following Conclusion.

1st The votes received by each of said parties at the Townships about which there is no controversy as per agreement of parties as aforesaid are as follows, to wit:

		Pindall	Jones
South Grass	Township	6	1
Chester	"	27	
Richland	"	29	8
Randolph	"	41	5½
Jefferson	"	44	26
Total in	Three Townships	147	91

and as the said papers and agreed statement of facts show that elections were not held & pretended to have been held at but ten places in said County, there was left-five to be passed on. to wit-

Those held at Red Fork precinct, Rosemary precinct- Laconia precinct, and at Williamson and Islands Townships, and passing to their consideration we find as to Red Fork precinct, and Rosemary precinct, one ground of objection ~~was grounds of objection~~ applies to each and is substantially the same, as will appear from said paper marked "A" hereto attached,

1st It is shown from said paper that in Red Fork precinct the Judges and clerks of election at that precinct took the oath prescribed for voters who had never registered but took no other oath whatever to faithfully and impartially discharge their duties as such Judges and clerks or otherwise, and also that only two Poll Books were kept at said election.

2nd. At said Rosemary precinct it appears from said paper marked "A" that the Judges and one clerk were sworn by a deputy sheriff and that but one Poll book was kept.

Your committee are of opinion that had the law designated certain persons to hold the election and made no provisions for supplying the absence of a competent officer to administer the oath as is done by our laws authorizing the Judges of election in such case to administer the oath to each other, there would be just grounds to say that the voters should not be deprived of their rights could the contestant show that the election was fairly held and conducted notwithstanding the Judges and Clerks acted without such sanction of an official oath, but no proof being offered by said Jones to this effect and our laws also authorizing the voters assembled

to chose their election Judges in case none were appointed or their failure to act and for such Judges to administer the oaths to each other such omission of proof would apply with much more force with us than under other election systems where such provisions are existing as it would be in a measure the fault of the voters themselves. On this ground and for want of any proof whatever to show that the election in these two townships was fairly held notwithstanding the Judges and Clerks acted without the sanctity of an oath. Your Committee are of opinion that the supposed vote of said precincts of Red Fork and Eaverson should be rejected.

This leaves only three voting precincts or townships to be determined to wit;

Laconia precinct in Mississippi Township, Napoleon in Tilkinson Township, and Island Township about which the only question is the sufficiency of the ticket used in voting for Jones considered in the light of all the surrounding circumstances. These tickets are as follows.

Jones Ticket

"Regular Popular
For
Constitutional Convention.
The Peoples Candidate
J. Pinyon Jones.
For
Removal of County site
For Commissioners

Pindall Ticket
Peoples Ticket
For Convention
Delegate
K. J. Pindall
For Removal of County seat
Commissioners.

It will be remembered
1st That the act of the General Assembly under which this convention was called only prescribes that the "name" or "names" voted for as delegate or delegates shall be written or printed on the ballots, and that the election thereof should be held on a certain day, to wit: the 30th June 1874, and only one delegate was to be elected from the County of Decha.
2nd That by the provisions of an act of the General Assembly approved May 26. 1874 it is provided, "Section 1st

"That at the time of electing delegates to the Constitutional Convention on the 3d th of June 1874, the qualified electors of the several townships of Dixie County shall each elect Commissioners to locate the county seat of said county, - Mississippi and Red Fork townships shall elect two commissioners, - each of the other townships as now organized shall elect one commissioner each. Said electors shall at the same time vote for or against the removal of the county seat."

Your committee took this view, - That in the construction of a ballot that it could as a contract or instrument in writing be explained by attendant circumstances or oral proof, so that these circumstances or oral testimony did not contradict what was on the ballot or required to be thereon, and thereupon they considered that said ballots should be counted for Jones on the following grounds, to wit;

1st Because the law required the election for delegates to be held on a certain day, (and this election was held on that day,) and did not specifically require that the ballot should contain anything more than the "name" of the person voted for as delegate (though it would have been much better to have stated also thereon "For Delegate;")

2nd That as shown by said paper marked "A", said County Board of Supervisors, and Township judges and Clerks had no doubt as to the persons voted for as Commissioners, and said Jones was never in any instance considered by them as being one of the candidates for Commissioner; in other words they specifically assigned the vote in the three townships to other certain named persons than Jones, without counting those with his name thereon, and state that the reason his ballots were not counted at all was because it was not shown thereby for what office he was voted for, and

3d. It will be seen from said paper "A," that if the said votes of Jones were counted for him as Commissioner it would make the vote given for commissioner much larger than the aggregate vote for and against a Convention in each of said three townships, but if counted for him as delegate it will make the aggregate vote cast for him and Kendall bear about the usual ratio that the aggregate vote for delegates in other cases usually bear to the aggregate vote, for and against Convention, and also would make the aggregate for said commissioners in said townships be about the same as the aggregate vote on the Convention and for delegates.

For the reasons aforesaid we are of opinion that the votes or ballots aforesaid for said Jones in said Laconia precinct in Mississippi township, Napoleon in Wilkinson township and Leland township should have been received and counted in cast for said Jones for delegate, at which places the vote, upon receiving said ballots for Jones and counting the same would be as follows.

	For Kendall.	For Jones.
Laconia precinct, Mississippi Township	72	188
Napoleon in Wilkinson Township	36	1
Leland Township	20	21
Total in three Townships.	128.	241.

and which added to the aggregate votes respectively received by said parties in said Sevier Grace, Chester, Richland, Randolph and Jefferson Townships, about which there was no controversy as aforesaid makes the aggregate vote received by said Pindall in said county, for Delegate – Two hundred and seventy five (275,) and makes the aggregate vote received by said Jones in said county, for Delegate – Three hundred and thirty two (332) and gives to said Jones a majority over said Pindall of Fifty seven (57) in the whole county.

Whereupon said committee have unanimously instructed me to report the following resolutions for the adoption of this convention, to wit:

1st. Resolved, That E. J. Pindall was not elected and is not entitled to a seat in this convention as Delegate from the county of Desha

2nd Resolved, That said J. Connoyer Jones was elected and is entitled to a seat in this convention as Delegate from said county of Desha.

Said committee take pleasure in stating that the sitting delegate E J Pindall has thrown, nor attempted to throw any obstacles in the way of a speedy decision on this case, but on the contrary has waived any and all formalities and pretexts whatever, that might otherwise have delayed the same, and said committee having fully discharged their duty in the premises to the best of their judgment and ability, ask to be discharged.

Respectfully Submitted

Exhibit "A" &c, as referred to in the report, viz:

"State of Arkansas }
Desha County } ss

We the undersigned County Supervisors of Election for County of Desha do hereby certify, That at an election held in the county of Desha, State of Arkansas on the 30th day of June A.D. 1874, in pursuance to the provisions of the act of the General Assembly of said State entitled "An Act providing for a Convention of the people of the State of Arkansas to frame a new constitution". That one thousand and fifteen (1015) votes were cast "For Convention", and twelve (12) votes were cast "Against Convention". And that at said election the following persons were rated for as delegates to said convention from said County of Desha and received the number of votes annexed to their respective names, to wit:

E. J. Pindall	received	345 Votes
J. Connoyer Jones	received	166 Votes
B. F. Grace	received	2 Votes
James O Clayton	received	1 Vote

as shown by the certificate of the judges and clerks of said election, certified to us from the several precincts of said county: and that said E. J. Pindall having received a majority of all the votes cast for Delegate to said convention, as appears from the certificate of the Judges of said election, was elected a delegate to said convention from said County of Desha,

Given under our hands, this the

7th day of July 1874.

Wm Keogh as to Beasley.
E. Alexander.

William R. Henderson
Ed Yates
L. N. Vincenti
Board of Election Supervisors.

Attention is called to the following:
At Red Fork precinct where 344 votes were cast "For Convention" and 2 votes were cast "Against Convention", and where E. Kendall received 53 votes for delegate, J Jones received 5 votes for delegate, and J Clayton received 1 vote for delegate, and where John Holmes received 191 votes for commissioner to locate the county seat of said county, Jeff McDonell received 148 votes as such commissioner, Wilson Dorthe 304 votes, A McNeal 2 votes, each for such commissioner.
The poll books returned do not show that the judges and clerks were sworn as required by law, and that upon two poll books kept at said precinct, 348 votes were recorded and but 41 votes were recorded upon the third. Deeming this to be an irregularity within the 65th Sec. Chap. 62 Gould's digest, we caused a summons to be issued to the judges and clerks of said election to correct said informalities and irregularities. In their response to said summons said judges and clerks of said precinct allege that they were able to procure the services of but two clerks and kept but two poll books. They further show that they took the oath prescribed for voters who had never been registered, a copy of which was furnished them with said poll books, and took no other oath whatever. That one of the judges refused to take such oath and no other was substituted. A separate certificate endorsed on said poll books shows that J. C. Jones received as "Peoples Candidate" 284 votes, but it does not appear what office he was voted for.

At Rosemary precinct in said township where 52 votes were polled "for convention", and no votes against it, and where E. Kendall received 17 votes for delegate, and John Holmes and Wilson Dorthe received 49 votes each for Commissioners to locate the county seat, but one poll book was kept, and the certificate did not show that the judges and clerks were sworn according to law. Upon response to the summons issued to them, the judges of said election show that they could procure the services of but one competent clerk, and kept but one poll book; that the judges and one clerk were sworn by a special deputy sheriff, specially appointed to attend said election. The separate certificate on said poll books show that J C Jones received 35 votes for "Peoples Candidate", but that no office known to the law for which said Jones was voted for is specified on said ballots cast for said Jones.

At Lawson precinct in Pleasant township 260 votes were cast "for Convention" and none against it, and where E. Kendall received 72 votes for delegate to the convention and Alfred Knowlton received 256 votes and J Mayberry received 230 votes, N. S. Bradford 1 vote and Jeff Mcdonell 49 votes for Commissioners to locate the county site. There appears said poll books a separate certificate that the law directed

188 ballots with the name of "Pennoyer" voted for "Justice Candidate" on them. The Judges further certify that it does not appear for what office if any Stevens was voted for At Napoleon in Pittsburg township where 55 votes were cast for a convention and none against it, and where L. J. Pindall received 36 votes for delegate to the convention and D Alexander Jr received 46 votes, and L W R. Anderson 7 votes for Commissioner to locate the County site there appears an additional Certificate, that J P Jones received 12 votes for the People's Candidate".

At Island township where 63 votes were cast for convention, and where L. J. Pindall received 20 votes, J P Jones received 6 votes for delegates to the convention, and where E M. Cumby received 44 votes, J A. Robinson received 19 votes as Commissioners to locate the County seat, there was an additional certificate in the Poll books that J P. Jones received 35 votes, but the judges thereon certify that it does not appear for what, as the word "delegate" was not on the ticket.

Given under our hands this the 7th day of July 1874.

In consideration of the above facts, and the certificates of the judges of election, we feel it our duty to give the above certificate

Given under our hands this 7th day of July 1874.

Witness our Hands

W. A. Anderson
C. C. Weaver
L. O. Pindall
Board of Election Supervisors
of Lecha County, Ark.

A true copy from the original.

Attest, Gordon N. Peay.

"Exhibit B," as referred to in the report:

To the President and Members of the Constitutional Convention of the State of Arkansas, called under the General Assembly of said State, and approved May 18th 1874, now in temporary organization assembled:

Your memorialist J Pennoyer Jones of Lecha County as in duty bound to his constituents, the electors of said county of Desha, states that he was at and before the election held on the 9th day of June 1874 a citizen and elector of the State of Arkansas, and a citizen and resident of the County of Desha, and a candidate for the suffrages of the Electors of said county as delegate to said Constitutional Convention. That at said election on the 9th day of June 1874, as aforesaid, he the said Jones as such candidate as aforesaid received a majority of all the votes in said county, to wit: — a majority of three hundred and fourteen votes. The said J Pennoyer Jones having received at said election for delegate to said convention, Six hundred and fifty nine (659) votes, and one L J Pindall the number of Three hundred and forty five (345) votes.

The said J. Pennoyer Jones further represents that the County Supervisors of said County returned as having been voted on the question of "for" or "against" convention the number of one thousand

and twenty seven (1027) votes in said county, — One thousand and ~~fifteen~~ (1045) for and twelve (12) votes against convention, and that all the votes cast for the said C. C. Bindall were certified notwithstanding certain alleged or pretended irregularities in holding the election in said county. An abstract of the votes cast at said election is here to appended and made a part of this memorial.

Your memorialist therefore states that an attempt is being made to ignore the voice of the people and defraud them of their rights at the ballot box, and to defraud your memorialist of his rights as a duly elected member of this convention, — Wherefore, the premises considered your memorialist prays that the said C. C. Bindall as a delegate to this convention, and to his being sworn as such, and that he be permitted to take the oath of office as a delegate, and be admitted to a seat in this convention.

J. Pennoyer Jones
of Pulaski Co.

Copy of Abstracts of the votes cast in the County of Pulaski and State of Arkansas, at the late election held June 3d 1874, for J. Pennoyer Jones, and C. C. Bindall as candidates for Delegate to convention!

		Jones.	Bindall
Alexander	County.	188	72
Big Rock	"	1	6
Bryant	"	41	26
Clinton	"	12	36
Fourche	"	35	17
Little Rock	"	292	53
Prairie	"		27
Rockwood	"	8	29
Scott	"	54	41
Terry	"	28	44
		659	345
		345	
Majority for Jones		314	

Lower Pulaski Township held no election, said township was made to find judges and clerks of elections according to the provisions of Sec. Mr. Fishback moved that the report of the committee be received and committee discharged. Mr. Cypert moved that the report of the committee be adopted.

Mr. White and Phillips moved that the delegate, J. Pennoyer Jones be seated.

Upon motion of Mr. Churchill of Conway, the President was authorized to administer the necessary oath to all members hereafter presenting themselves for seats in the convention.

J. Pennoyer Jones then came forward and was qualified as required by law, and took his seat in the convention.

Mr. Fishback chairman of the committee on Finance, Taxation, Public Debt and Expenditures, introduced the following resolution

"Be it Resolved and the members of the Constitutional

Convention of the State of Arkansas.

The undersigned is instructed by the Committee on Finance &c., to inform your honorable body, that it will be impracticable for this Committee to perform its duties without the assistance of a competent Clerk and to ask the passage of the following resolution:

"Resolved:- That the Chairman of the Committee on Finance, Taxation, Public Debt and Expenditures, be and he is hereby authorized to employ a clerk of said committee with the usual compensation of clerks of the convention."

Mr Rector of Garland offered the following as an amendment, viz:

"That the chairman of each one of the standing committees, when a majority of the committee so desire, shall be empowered to employ a clerk whenever the business of the several committees shall require it."

which was declined by Mr Fishback.

Mr Carroll of Madison moved to lay the resolution and amendment on the table, — which was not agreed to.

Mr Williams of Jefferson then offered the following as a substitute:

"Resolved- That the chairman of the Committee on Finance etc, and Railroads and Internal Improvements be authorized to employ a clerk for each of said committees whenever the majority of such committees deem it necessary to have the services of such clerk;"

Which was adopted.

Mr Mansfield of Franklin then offered the following resolution:

"Resolved - That the Secretary of State be requested to furnish each standing committee with one copy of Gantt's Digest, to be returned to his office upon the adjournment of this convention."

Upon motion of Mr Killgore the resolution was adopted.

Mr Packet of Washington, then offered the following resolution:

"Resolved" - That the Sergeant at Arms be requested and he is instructed to procure suitable rooms for the various committees of this convention on application of the chairman of any one of the various committees of this convention"

Which was adopted.

Mr Thomason of Crawford then offered the following resolution:

"Resolved - That there should be inserted in the Constitution a clause, notifying the military

subordinate to the civil authorities, with also a clause expressly prohibiting the declaration of martial law in this State except by the Legislature under circumstances of extreme peril, and then to be restricted to the limits of the military encampment."

Mr Groat of Columbia moved to refer to the committee on Preamble and Declaration of Rights, — and on the request of Mr Cameron, the introduced, withdrew his motion to refer, and next did it lay on the table, one day.

Mr Smith of Saline moved the motion to refer to the Committee on Preamble and Declaration of Rights.

Mr Rector of Saint Louis moved to adjourn until Tomorrow at 9 o'clock A.M.; upon which motion the ayes and noes were ordered.

The Secretary called the roll and those voting in the affirmative were:

Green, Cullor of Independence, Curtis of Lincoln, Brown, Jasper, Baker, Bowen, Wilson of Franklin, Brown, Cameron, Cole, Carter, Cotton, Dickerson, Hamilton, Hudson, Lester, Miller, Nelson, Perkins, Reynolds, Rector, Smith of Saline, Williams of Little River, Williams of Pike, Wilson of Jefferson.

Those voting in the negative were:

Anderson of Lee, Anderson of Crawford, Ashley, Bevis, Barnes, Blackwell, Bryant of Miller, Crockett, Conlee, Cantrell, Engle, Evans, Kinney, Maxwell, Madison, Engle, Flanagin, Gibson, Howard, Gallery, Gardner, Green, Harrison, Hinkle, Hemphill, Hamilton, Jones, Kellogg, Mills, Moorehead, Lincoln, Lindsey, Lytle, Mosely, Mansfield, Murphy, Pattison, Pindall, Pierce, Turrentine, Pratt, Reid, Reinhardt, Searcy, Stanley, Steel, Stevens, Thompson of Bradford, Thompson of Washington, Trimble, Williams of Clay, Williams of Marion, Pike, Wilson of Izard.

So the affirmative 60, — the negative 24.

So the motion to adjourn was lost.

Mr White moved that all be excused for the reading of Mr Thomas's resolution, that from motion the same be laid on the table.

Mr Evans introduced the following resolution:

"Sec . Every male citizen of the age of twenty one (21) years who has resided in the state twelve (12) months, and in the county six (6) months next preceding any election where he may tender to vote, and who shall have within the year next preceding the

election paid a poll tax to the proper officer, shall be entitled to vote for all officers that are now, or may hereafter be elected by the people.

Sec. All elections shall be by ballot. Every ballot shall be numbered in the order in which it shall be received, and the number recorded by the election officers on the list of voters, opposite the name of the elector who presents the ballot.

Sec. Electors shall in all cases except treason, felony or breach of the peace, be privileged from arrest during their attendance at elections and in going to and returning from the same.

Sec. No idiot or insane person shall be entitled to the privileges of an elector.

Sec. The General Assembly shall have power to exclude from the privilege of voting or being eligible to office, any person convicted of bribery, perjury or other infamous crime.

Sec. No soldier or sailor, or marine in the military or naval service of the United States, shall acquire a residence by reason of being stationed on duty in this state.

Sec. The general election shall be held biennially on the first Monday of August, but the General Assembly may by law fix a different day, two thirds of all the members of each House consenting thereto."

Which upon motion was referred to the Committee on Judiciary and Elections.

Mr Leiper of Dallas then presented the following resolutions;

"Resolved, 1st. That the judicial power of this state shall be invested in a Supreme Court, in Circuit Courts, County and Probate Courts, and Justices Courts.

Resolved 2nd. That the Supreme Court shall consist of three judges, who shall be elected by the qualified electors of the State at large. They shall be elected for six years. Those elected first under this constitution shall be elected one for two, one for four, and one for six years, and the judge whose term shall first expire shall be Chief Justice, and thereafter the judge whose term shall first expire shall be by priority, Chief Justice.

Resolved 3d. That the jurisdiction of the Supreme Court be original in quo warranto as to all state officers; in mandamus to inferior courts; in writs of habeas corpus and in cases of injunction where corporate bodies are parties, and appellate jurisdiction in all cases by appeal, writs of error or certiorari.

Resolved 4th. That the Circuit Courts of this State shall consist of ten circuits and the judges thereof. The judges to be elected by the qualified electors of the State at large.

Resolved 5th. That the judges of Circuit Courts shall within their respective circuits have chambers and criminal

jurisdiction and power to issue writs of certiorari to Justices of the Peace and other inferior courts not of record, and cause their proceedings to be brought before them.

Resolved, 6th. That the presiding officer of the County Court be also judge of Probate, and that the County court shall have jurisdiction in all criminal cases less than felony, and in all civil cases under five hundred dollars

Resolved, 7th. That the jurisdiction of Justices of the Peace shall be limited in all civil cases under One hundred dollars, and in criminal cases, such courts shall have power to bind over."

Which was referred to the Committee on Franchise and Election.

Mr Gibson of Arkansas, then offered the following resolutions which were referred to the Committee on Judiciary.

Resolved, — That the Committee on Judiciary be requested to inquire into the propriety of inserting the following sections in the Constitution, under the head of Judicial Department, to wit:

Sec 1st The judicial power of this state shall be vested in a Supreme Court, Circuit Courts, Probate Courts, County Courts, Justices of the Peace, Magistrates, and such inferior courts as the General Assembly may, from time to time establish.

Sec 2nd The Supreme Court shall consist of three judges who shall be elected by the qualified electors of the state at large. One of the Supreme judges shall be styled "Chief Justice", any two of whom shall constitute a quorum, and the concurrence of any two of said judges shall in every case be necessary to a decision. The Supreme Court, except in cases otherwise declared by this Constitution, shall have appellate jurisdiction only which shall be co-extensive with the state under such restrictions and regulations as may from time to time be prescribed by law. It shall have a general superintending control over all inferior courts of law and equity. It shall have power to issue writs of error, supersedeas, certiorari and habeas-corpus, mandamus and quo warranto and other remedial writs and to hear and determine the same. Said judges shall be conservators of the peace throughout the state, and have power to issue any of the aforesaid writs.

Sec 3rd The Circuit Courts shall have original jurisdiction, over all criminal cases, which shall not be otherwise provided for by law; exclusive original jurisdiction of every amounting to felony at common law; and original jurisdiction of all civil cases which shall not be cognizable before Justices of the Peace, until otherwise directed by the General Assembly

and original jurisdiction in matters of contract when the sum in controversy is over two hundred dollars. It shall hold its terms at such places in each county as may be by law directed.

Sec 4th. The state shall be divided into ten judicial circuits, each to consist of not more than eight counties contiguous to each other, for each of which a judge shall be elected by the qualified electors of the circuit over which he presides, who during his continuance in office shall reside and be conservator of the peace within the circuit for which he shall have been elected.

Sec 5th. The Circuit Court shall have appellate jurisdiction over all cases arising in probate and county courts, and justices of the peace and police magistrates, and shall exercise a superintending control over the same and shall have power to issue all writs necessary to carry into effect their general and special powers.

Sec 6th. The Circuit Court shall have jurisdiction in matters of equity, subject to an appeal to the Supreme Court in such manner as is now or may be provided by law; but the General Assembly may establish separate Chancery Courts in any county wherever it may deem it expedient.

Sec 7th. The qualified electors at the time shall elect the judges of the Supreme Court, one "Chief" and two associate justices. The judges of the Supreme court shall be at least thirty years of age, they shall hold their offices during a term of six (6) years from the date of their commissions and until their successors are elected and qualified.

Sec 8th The judges of the circuit court shall be at least twenty five years of age, and shall be elected for the term of four years (4) from the date of their commissions, and shall serve until their successors are elected and qualified.

Sec 9th. The judges of the Supreme Court, Circuit Courts, and judges of the probate and County courts, and judges of Chancery Courts, should any be established, shall at stated times receive a compensation for their services as may be provided by the General Assembly, which shall not be diminished during the term for which they are elected. They shall not be allowed any fees or perquisites of office, nor hold any other office of trust or profit under this state or the United States. Justices of the peace and police magistrates shall receive for their services, such fees and perquisites as may hereafter be fixed by law.

Sec 10th. The qualified electors of each county shall elect a county and probate judge who shall hold

his office for two years and until his successor is elected and qualified. The probate judge shall have original jurisdiction of matters relating to estates of deceased persons, executors, administrators and guardians.

Sec 11th. There shall be established in each county in the state a court called the County Court, to be holden by the Probate judge and two Justices of the Peace, the justices of the peace to be selected as is now or may hereafter be provided by law. The County court shall have jurisdiction in matters relating to taxes, disbursement of money for county purposes and in every other case that may be necessary to the internal improvement and local concerns of the respective counties.

Sec 12th. No judge shall preside on the trial of any cause in the event of which he may be interested, or when either of the parties shall be connected with him by affinity or consanguinity within such degrees as may be prescribed by law, or in which he may have been counsel, or have presided in any inferior court, except by consent of all parties.

Sec 13th. Whenever at ten o'clock a.m. of the second day of any term of the courts of this state, the judge thereof is not present or if present and he cannot for any cause properly preside at the trial of any case then pending therein, the attorneys of said court then present may elect a special judge who shall preside during the trial of such case or cases, or shall hold said court until the appearance of the regular judge thereof. The proceedings in such cases shall be entered at large upon the record.

Sec 14th The qualified electors residing in each township shall elect the justices of the peace for each township. For every one hundred votes there may be elected one Justice of the peace. provided, That each township shall have two Justices of the peace. Justices of the Peace shall be elected for the term of two years and shall hold their offices until their successors are elected and qualified, and shall reside in the township for which they are elected, during their continuance in office. Justices of the peace shall have original jurisdiction in cases of bastardy and in all matters of contract and actions for the recovery of fines and forfeitures where the amount claimed does not exceed one hundred dollars, and concurrent jurisdiction with the Circuit court where the amount claimed does not exceed two hundred dollars, and shall have concurrent jurisdiction with the circuit court, of criminal cases less than felony.

They may also sit as examining courts, and commit or recognize any person charged with any crime of any grade.

They shall also have power to bind to keep the peace or good behavior.

Sec 15th. All writs and other process shall run in the name of the "State of Arkansas" and bear date and be signed by the clerk of the respective courts from which they issue. Indictments shall conclude "against the peace and dignity of the State of Arkansas"

Mr Smoote of Columbia then offered the following resolution which on motion was referred to the committee on Counties and County Lines.

Resolved,- That no new county shall be established which shall reduce any county already established, to less than nine hundred square miles, or to less than ten (10) thousand inhabitants. Nor shall any new county be formed of a less area than nine hundred square miles or containing a less population than ten thousand. Nor shall any line of any proposed new county pass within fifteen miles of any organized county proposed to be divided in forming such new county. Nor shall any new county be established until a proposition for establishing the same shall have been submitted to a vote of the qualified electors residing in the territory which is to constitute such proposed new county, and shall have a majority of all the votes cast at such election, in the fraction of each county proposed to be divided in forming such county.

Mr Ross of Clark then offered the following resolution which upon motion, was referred to the Committee on Finance &c.

"Whereas, It is true and beyond question, a well or doubt that many of the counties of the State of Arkansas have been defrauded and swindled by a set of political vampires, in the issuance and circulation of county bonds, scrip, &c for various pretended purposes and without any consideration in many instances and for the sole purpose of robbing the people of said counties, and

Whereas, Said counties are integral portions of said State of Arkansas and the people of said counties so much entitled to protection from the payment of said fraudulent bonds issued as aforesaid, as the State itself, Therefore

Resolved, That it is the duty, of this convention to provide some means to protect said counties against the payment of debts or liabilities contracted as aforesaid."

Mr Smith of Saline moved to reconsider the Grant County contested election case which was not agreed to.

Mr Garland, Chairman of Committee on Counties and County lines moved that Mr Scott of Pope be added to the committee. - Carried.

Mr Garland also moved that Mr Yates of Polk be added.

to the Committee on Franchise and Elections. — Carried.

Mr. Hawkins sent up the following resolution,

Here, Mr Rector of Garland moved to adjourn until 3 o'clock PM, which was not agreed to.

The resolution of Mr Hawkins was read;

Exempted Property.

Resolved,

Section 1. Personal property when owned by a resident of this state who is a married man, or the head of a family, to the value of five hundred dollars, to be selected by such person shall be exempted from sale or execution or other final process of any court, issued for the collection of any debt, contracted after the adoption of this constitution.

Section II Hereafter the homestead of any resident of this state, who is a married man or the head of a family, not to exceed One hundred and sixty acres of land with the dwelling and appurtenances thereon, not to exceed the value of One thousand dollars, to be selected by the owner thereof, and not in any city, town or village, or instead thereof at the election of the owner, any lot in any city, town or village, with the dwellings and appurtenances thereon, owned and occupied by any resident of this state, not to exceed the value of One thousand dollars, shall be exempted from sale on execution or any other final process issuing from any court. But said homestead shall not be exempted from sale for taxes, for the payment of the purchase money, for the erection of improvements thereon or for labor performed at the request of the owner thereof in erecting improvements thereon.

Section III. Of the owner of a homestead dies leaving a widow without children, said homestead shall be exempted and she shall receive the rents and profits thereof during her widowhood, unless she be the owner of a homestead in her own right.

Section IV. The homestead of a man at his death, if he leave a widow and children, or children alone, shall be exempted from the payment of his debts during the minority of his children, and during the time his widow shall remain unmarried. Provided, said homestead shall be subject to sale for his debts should the widow and children abandon the same as a homestead.

Section I. The property both personal and real which shall be owned by any female in this state at the time of her marriage or which she may acquire after marriage, by purchase, gift, grant or inheritance, or in any other way, shall be exempted from the payment of her husbands liabilities, and shall be her sole and separate property and she may sell or devise the same as if she were a femme sole. Laws shall be passed for the protection of her rights under this section.

Mr Eagle of Sonoma offered the following amendment:

"Mr President: I move to amend by striking out "Five Hundred dollars" and inserting "Three Hundred dollars" in place thereof; also by striking out "one hundred and sixty acres" and inserting "Eighty acres" in place thereof".

Which was accepted and the resolution referred to the committee on Exemptions.

Mr Dunn moved to adjourn until 5 o'clock PM on tomorrow which was lost.

Mr Bunch of Carroll moved that Mr Crowley be added to the Committee on Legislative Department.

Mr Berry of Jefferson moved that Mr Harrison be added to the Committee on Elections, which was carried

Mr Gibson moved to adjourn until 3 o'clock PM, which was not agreed to.

Mr Hughes of Monroe offered the following, resolution:

Resolved, That the regular biennial sessions of the Legislature of this state; shall not exceed sixty days in duration."

which upon motion was referred to the Committee on Legislative Department.

On motion of Mr Butler of Pulaski the Convention adjourned

Granderson D Royston
President of the Convention

Thomas M. Newton
Secretary.

Wednesday Morning
July 22nd 1874.
9 o'clock.

The Convention met pursuant to adjournment.

The Secretary called the Roll, and the following named members answered to their names, to wit;

Anderson, of Lee. Anderson, of Perry, Craighead, Bailey, Branch, Burke, of Independence Blackwell
Brown, Bates, Bowen, Cunningham, Bayter. Bryant, of Crowley. White.
Cable. Carter, Cagle. Cypert, of Craiter. Carroll.
Caswell. Dodson. Eakin. Downs. Dunaway.
Eichback. Gibson. Garland Hanagin. Frierson.
Hampton Talley. Gordon. House
Howell. Johnson Hughes. Hawkins. Hanna.
Kenzeworthy. Leiper. Lucas Joyner Kellogg. Kelley.
Mosley Mansfield Lester. Lindsey. Lake.
Patterson. Pennington. Miller Moen
Pulliam. Pierce Perkins Parrott.
Reinhardt Rogers. Ross
Sorrels. Thompson, of Crawford. Snow Stanley Scott.
Williams of Sharp, Witt. Williams, of & Mr President. Thompson, of Washington Williams of Little Rock Union

The following named members failed to answer to their names upon a call of the Roll. viz;

Butler of Pulaski. Brown. Barnes. Copeland. Chism.
Eagle. Harrison Hanna. Jones. Murphy. Polk.
Smith of Lafayette Smith, of Saline. Thompson Williams, of Jefferson
White Walker.

Prayer by the Rev Mr Watson.

The Journals of the preceding day were then read.

Upon motion the reading of the various resolutions introduced by the members and read during the day was dispensed with.

The Journal was then corrected and approved.

At the close of the reading of the Journal the following named members appeared in their seats and answered to their names

Mayfield, Walker, Copeland. Murphy. Barnes. Brown,
Williams, of Union. Butler, of Pulaski. White.
Brown. Rector. Thompson. Harrison, Smith, of Saline
Eagle. & Jones.

Mr. Rutherford was excused.

Mr. T. J. Smith Delegate from Lafayette County here appeared at the Bar of the Convention and presented his credentials to the the Convention through Mr. Barnes of Pulaski

Mr. Smith was sworn by the President and afterwards took his seat as a member of the Convention.

Mr Benson of Ouachita here presented the following petition.

To the President and Members of the Constitutional Convention of the State of Arkansas.

The Oth taken on yesterday, in the contested election case from Olicot county having conclusively shown that in the opinion of this Committee the holding of an office either State or County, does not disqualify a person from occupying and holding a seat as Delegate in this Convention, and the legal point involved in the case from Cuttendin county in which I am contestant for the seat of T. L. Copeland being precisely the same as that of the case from Olicot County I would beg leave to withdraw my claim from further consideration of the Convention.

Very respectfully
T. C. S. Whitsitt.

And upon motion of the introducer the prayer of the petitioner was granted.

Mr. Thomason, of Crawford then offered the following Memorial, viz;

To the Senate and House of Representatives of the Congress of the United States:

Whereas, By and by an act of Congress, approved April 10th, 1869. entitled "An act to extend the time for the Little Rock and Ft Smith Railroad company to complete the first twenty miles of said road" it was provided that actual settlers on any of the lands named in said act and in other acts relating to such road, should have the privilege of buying a quantity of such land not greater than one quarter section, at a price not exceeding $2,50 per acre; and whereas said act was afterward, on the 8th day of March, 1870, repealed after many bona fide settlers had entered upon and improved such lands with the intention of securing the same under the provisions of such act of April 10th 1869; and whereas, there are many cases of the kind demanding relief; now therefore, The people of the State of Arkansas, in convention assembled, respectfully and earnestly ask

and request the Congress of the United States to revise the act of April 15th 1869. in this respect or by other appropriate legislation, to extend the privilege to settlers upon any of such Lands of purchasing not more than one quarter section in each case, at a price not greater than two dollars and a half per acre, as they were entitled to do before the passage of said repealing act of March 8th 1875.

Which upon motion of the introducer was adopted.

On motion of Mr Thomason, of Crawford, Mr. Burnhardt was added to the Committee on exemptions.

Mr Harrison from the Committee on the Crittenden County contested election case stated that he had a report ready and asked to submit it.

The President stated that the contest had been withdrawn, and the committee discharged

Mr Fishback offered the following:

The undersigned has been instructed by the Committee on finance to report to your honorable body that they have been informed by the State Treasurer that one half of the expenses of his office accrues on account of the issuance of Scrip, and that he could dispense with at least one half of his clerical force if its issue were ordered to cease. They have also been informed by the Auditor that certain expenses of the Government are being paid at a discount of four dollars for one of value received, and to report for your consideration and to urge the passage of the following:

Resolved, That the auditor of state is hereby ordered to audit no claim against the State for services rendered, or on any other account, unless said claim be verified by the affidavit of the claimant to the effect that the demand is just and correct, and that no part thereof has been previously paid; that the services charged for or material furnished as the case may be, were actually rendered or furnished, and that the charge made therefor does not exceed the amount allowed by law or customary charges for similar services or material, dollar for dollar in currency; and when presented to him duly authenticated, and upon being satisfied that the same is just and correct, he shall issue his warrant for said claim or demand.

2nd That the treasurer shall, upon presentation of said warrant, if there be no money in the treasury out of which the same can be paid, issue to the holders thereof a treasurer's certificate for the amount specified in said warrant, bearing interest at the rate of five per cent. per annum from date until paid, according to the provisions of the act of the General Assembly approved March 16th, 1871. and that such certificate shall hereafter be issued by the treasurer on all warrants presented to him, and the

is hereby ordered to make no further issue of State Scrip.

Mr Bunn moved that the resolution be referred to the Judiciary committee. Carried.

Mr Smoot, of Columbia offered the following and moved its reference to the Committee on Franchise & Elections.

Resolved, That the committee on franchise and elections are requested to enquire into the propriety of incorporating the following sections or their substance in the Constitution

Sec. 1. Every male citizen of this State possessing the following qualifications, and not being specially disqualified by some other section of this constitution shall be entitled to vote at all elections: First-he shall be twenty one years of age; second he shall be a citizen of the United States; third, he shall have been a citizen of this State one year immediately preceding the election: Fourth he shall have resided in the county six months, and in the election precinct or ward where he shall offer to vote, one month immediately preceding the election;

Sec. 2. The General Assembly shall have no power to pass any law requiring the registration of the qualified electors of this State except in incorporated Cities and Towns having more than one ward or voting precinct; and all the laws requiring the registration of all qualified electors now in force in this State, are to that extent set aside and made void, provided, that no elector in any Corporate town or city having more than one ward or voting precinct in which the General Assembly may hereafter require registration shall be deprived of his right to vote by reason of not being registered.

The resolution was so referred.

Mr Flanagan of Clark moved that Mr Hawkins of Ashley be added to the "Judiciary Committee". Carried.

Mr White, of Phillips offered the following resolution.

Resolved, That the following provisions shall be inserted in the Constitution: Every male citizen of the United States of the age of twenty one years who shall have been a resident of the State one year next preceding the election and of the County in which he resides four months next preceding the election, shall have the qualifications of an elector and be entitled to vote at all elections.

Mr White moved the reference of his resolution to the "Committee on Franchise. Carried.

Mr Garland, of Nevada offered the following resolution viz:

Resolved. That the "Committee on County and County Lines"

be requested to take into consideration, the following as provisions of the Constitution to exist.

Sec 1.

No county now established shall be reduced to an area of less than six hundred (600) square miles, nor shall any new county be established with less than six hundred (600) square miles.

Sec. 2. No part of a county shall be stricken off to form a new County or a part thereof, without the Consent of a majority of the voters in such part proposed to be taken off.

Sec. 3. No County seat shall be established or changed without the consent of a majority of the qualified voters of the County to be effected and until the place at which it is proposed to establish or change any county seat shall be fully designated; Provided That in the formation of new counties the County seat may be located for temporary purposes, and until permanently established by the provisions of law.

Sec. 4. In the formation of new counties no line thereof shall pass within twelve (12) miles of the County seat of any County proposed to be divided.

Which upon motion was referred to the "Committee on County County Seats and County Lines."

Mr. Stanley, of Drew, then offered the following resolution:

Whereas, The Attorney General has instituted numerous suits in the Chancery court of Pulaski county against parties residing in various counties in the State, who just before and about the beginning of the late war had purchased school lands; and, Whereas persons who so purchased said lands have in good faith paid for the same in Lawful Currency; and, Whereas, the prosecutions of said suits under such circumstances is vexatious, burdensome and expensive therefore

Resolved, That the Attorney-General be directed to refrain from the institution of further suits for school purposes, and from the further prosecution of those suits already commenced, until further directed by the General Assembly of the State of Arkansas.

Mr Doswell moved that the resolution be referred to the Committee on Education.

Mr. Williams, of Jefferson, answered to his name and moved to amend by referring to the "Judiciary Committee"

Mr Doswell accepted the amendment and the resolution was so referred.

Mr Jones, of Desha offered the following:

Resolved, That a county clerk shall be elected by the qualified electors in each organized county in this State, who shall be ex-officio recorder of said County for the term of four years, and shall perform such other duties and receive such fees as are now or may hereafter prescribed by Law.

Which was referred to the Judiciary Committee.

Mr Thomason, of Crawford, offered the following:

Resolved, That the Secretary of this Convention be and is hereby directed to send to the President of the Senate and Speaker of the Congress of the United States, and also to each of our senators and representatives in Congress, a copy of the memorial in behalf of settlers on the Lands along the line of the Little Rock and Fort-Smith railroad This day adopted.

Which was adopted.

Mr White, of Phillips offered the following, viz;

The General Assembly shall make such provisions by law, as will secure a thorough and efficient system of common schools throughout the State. No religious or other sect shall ever have exclusive right to or control of any part of the school fund of the State.

Which was referred to the Committee on education.

Mr Hanna, offered the following;

Resolved, That the Committee on Judiciary be instructed to enquire into the propriety of giving exclusive original jurisdiction to justices of the Peace, in all cases of simple assault: Assault and battery, petit-larceny, and also in civil actions for damages, where the amount does not exceed their exclusive original jurisdiction in other civil actions,

Referred to the Judiciary Committee.

Mr Dunaway, of Faulkner then introduced the following

Resolved, That in framing a Constitution for this State that the legal rate of interest shall be six per cent per annum provided ten per cent shall be lawful when agreed upon by parties.

Which on motion of Mr Rector from Garland was referred to the "Committee on Finance"

Mr Pulliam, of Sebastian, offered the following Resolution viz;

Sec 1. The Governor may by proclamation, on extraordinary occasions convene the General Assembly at the seat of government or at a different place, if that shall have

become, since the last adjournment, dangerous, from an enemy or from contagious disease.

Sec 2. He shall state in his proclamation the objects for which the General Assembly is called, and no other business than that for which it is called shall be transacted by said General Assembly so convened.

Which was referred to the "Committee on Executive Department."

Mr Mansfield of Franklin then offered the following, which was referred to the "Committee on Legislative Department."

Resolved that the following section be made a part of the Article on the Legislative Department - to wit:

The Legislature shall have no power to create any office not provided for by this Constitution.

Mr Lake, of Washington offered the following, viz:

Resolved, That there shall be elected two Justices of the Peace for each township in the County, and that there shall be an additional Justice elected for each and every corporate town who shall reside within the limits of said Corporation.

Be it further resolved, that the jurisdiction of Justices shall extend to all promissary notes of the sum five hundred dollars and render and open accounts of two hundred and fifty dollars and also authority to issue writs of attachment & replevie. and that they have jurisdiction over all misdemeanors where the fine does not exceed twenty five dollars.

Mr Miller, of Randolph moved to amend as follows, viz:

Resolved, That Justices of the Peace have exclusive jurisdiction in assaults and batteries.

Which was accepted, and the resolution referred to the Committee on Judiciary.

Mr. Hanna of Conway introduced the following which was referred to the "Committee on Legislative Department."

Resolved, That the Committee on the Legislative Department be instructed to consider the propriety of inserting in the Constitution a clause prohibiting the Legislature from passing any law, except the authorities so to do be expressly delegated to it by some provision of the Constitution.

Mr Hughes, of Monroe offered the following ordinance:

Be it ordained.

1st. That the Executive Department of the Government of the State of Arkansas shall consist of a Governor; Secretary of State; Attorney General; Auditor of Public Accounts; Treasurer; And Superintendent of Public Instruction.

2nd. The supreme Executive power shall be vested in the Governor; who shall take care that the laws be faithfully executed; he shall be chosen on the day of the general election, by the qualified electors of the state, at the places where they shall vote for representatives. The returns of every election for Governor shall be sealed up, and transmitted to the seat of Government directed to the President of the Senate who shall open and publish them in both houses of the General Assembly. The person having the highest number of votes, shall be Governor, but if two or more be equal, and highest in votes one of them shall be chosen Governor by the joint vote of the members of both houses. The Governor shall hold his office during four years, from the time of his qualification and shall not be eligible to the office for the next succeeding term,

3rd. No person shall be eligible to the office of Governor except a citizen of the United States, who shall have attained the age of thirty years, and have been seven (7) years next preceding his election and inhabitant of the state, unless he shall have been absent on the public business of the United States or of this state.

4th. No member of Congress or person holding any office under the United States or this State shall exercise the office of Governor.

5th. The Governor shall be Commander in Chief of the army and navy of the state and of the Militia except when they shall be called into the actual service of the United States.

6th. The Attorney General, Secretary of State, Auditor, Treasurer and Superintendent of Public Instruction shall be chosen at the time of the election of the Governor by the qualified electors of this state, and shall each hold his office for four years from the date of his qualification.

7th. All contested elections for the Office of Governor, Secretary of State, Attorney General, Auditor, Treasurer and Superintendent of Public Instructions shall be determined by both houses of the General Assembly who shall have exclusive jurisdiction in such contests.

8th. The Governor shall have power to remit fines and forfeitures to grant reprieves, Commutation of sentences, and pardons upon petition and the recommendation in writing of the Attorney General

and Secretary of State, except in cases of impeachment, of which petition and recommendation there shall be made a record in the office of the Secretary of State.

9th He may require information in writing from the officers of the Executive department, relating to the duties of their respective offices.

10th He shall from time to time give the General Assembly information on the state of the commonwealth and recommend to their consideration such measures as he may deem expedient.

11th. He may on extraordinary occasions convene the General Assembly, and in case of disagreement of the two houses with respect to the time of adjournment adjourn them to such time as he may think proper. In case of death conviction or impeachment, failure to qualify resignation or other disability of the Governor, the powers, duties and emoluments of the office for the remainder of the term or until the disability be removed shall devolve upon the President of the Senate.

12th. In case of a vacancy in the office of President of the Senate or inability upon his part to exercise the duties of the office or failure to qualify as Governor the powers duties and emoluments of the office for the remainder of the term or until the disability be removed shall devolve upon the Speaker of the House of Representatives.

13th In case the duties powers and emoluments of the office of Governor devolve upon the President of the Senate or Speaker of the House of Representatives those offices shall be thereby vacated and shall be filled by election, as any other vacancy in the Senate or House of Representatives.

14th Every bill, which shall have passed both houses of the General Assembly, shall be presented to the Governor, if he approve it he shall sign it, but if he shall not approve it, he shall return it with his objections to the house in which it shall have originated - which house shall enter the objections at large upon their Journals and proceed to reconsider it. If after such consideration two thirds of all the members elected to that house agree to pass the bill it shall be sent with the objections to the other house by which likewise it shall be reconsidered, and if approved by two thirds ($\frac{2}{3}$) of all the members elected to that house it shall become a law; but in such cases the votes shall be determined by yeas and nays, and the names of the members voting for or against the bill shall be entered on the Journals of each house respectively - If any bill shall not be returned by the Governor within ten days after it shall have been presented to him the same shall be a law in like manner as if he had signed it, unless the General Assembly by their adjournment prevent its return, in which case it shall be a law, unless he shall file the same with

his objections in the office of Secretary of State. and give notice thereof, by the public proclamation, within thirty (30) days after such adjournment.

15th. The Governor shall have power to disapprove of any item of any bill, making appropreations of money embrocing distinct items and the part or parts of the bill approved, shall be the law and the item or items disapproved, shall be void unless repassed according to the rules and limitations prescribed for the passage of other bills over the Executive veto.

16th The Secretary of State shall keep a record of all Official acts of the Governor, and when required lay the same, with all papers minutes and vouchers relating thereto before either branch of the General Assembly and perform such other duties as may be enjoined upon him by law.

17th. The officers of the Executive department shall hold their offices, until their successors are elected and qualified

18th. The Attorney General, Auditor, Treasurer and Superintendent of public Instruction shall perform such duties respectively as may be enjoined upon them by law.

19th. The Great seal of the State of Arkansas shall be the seal of the State.

All commissions shall be in the name and by the authority of the State of Arkansas and be sealed with the State Seal and signed by the Governor.

Mr Jones, of Desha moved the following amendment

Resolved, That the Governor when elected by the qualified electors of this state shall not be eligible to any other office during the term he is elected for.

Mr Hawkins, of Ashley also offered the following amendment.

Resolved, That no person elected to any office in this state whether Executive, Legislative, or Judicial who shall qualify and enter upon the discharge of the duties of said office, shall be eligible to any other office during the full term for which he was so elected and qualified, and that such ineligibility shall not be removed by the resignation of said party or by his removal from office.

The resolution with the amendments were then

referred to the Executive department.

Mr Hampton of Bradley, moved that Mr Pelliam of Sebastian be added to the "Committee on Executive department" which was carried.

Mr Bryant of White then offered the following resolution.

Resolved, That the Committee on legislative department be instructed to insert a provision in the Constitution prohibiting the loan of the credit of the State, County, City, or towns to any corporation or individual.

Mr Smith of Saline objected to its adoption.

Mr Bryant withdrew his motion to adopt.

Mr Thomason, of Washington offered the following amendment:

Resolved, That the credit of this State shall not be loaned to raise funds for any purpose except to defray the necessary expenses of said State government, or pay the present just indebtedness of the same.

2nd That the credit of any county shall not be loaned to raise funds for any purpose except to defray the necessary expenses of said County government so to pay the present just indebtedness of the same.

The resolution and amendment were referred to the Committee on Legislative department.

Mr Walker, of Washington, offered the following, which was referred to the Committee on railroads:

Sec 1. No debt shall be created by or on behalf of the State, except to supply casual deficiencies in revenue, repel invasion, suppress insurrection, defend the State in war, or to pay existing legal debts. And no debt created to supply deficiencies in revenue shall ever exceed in the aggregate at any one time one million of dollars.

Mr Lujer of Dallas offered the following resolution viz:

Sec. 1. As the stability and perpetuity of republican institutions in a free government depend in a great measure upon the intelligence of the people, the General Assembly of the State shall provide by law for ascertaining the question of public schools to the qualified electors of each county of the State annually for the instruction of all persons over the age of six and under the age of twenty one years.

Sec. 2. The inauguration of public schools by the qualified electors of any county shall not make any discrimination

of race, but equal provision shall be made for each race in separate schools; and no sectarian school shall receive any support out of the public school fund.

Sec. 3. After any county determines by a vote of the qualified electors thereof to have a public school, then said County shall be districted into school districts according to the number of voting precincts by the County Court of said County; and such school district shall determine by ballot how long its public school shall continue each year, and the amount of tax necessary to carry on such school; and said school fund when collected shall be retained by the County collector as a special school fund for said school district, without the deduction of any per cent, for collecting; but the collector thereof shall be paid out of other funds in the County treasury.

Sec. 4. The General Assembly of the State shall provide by law for the appropriation of the proceeds of all Lands that have or may hereafter be granted by the United States to this state for school purposes within the several Counties of the state; also all moneys, stocks bonds, lands and other property now belonging to any fund for educational purposes, as also the sale of all estrays the distributive shares of the estates of deceased persons; also all fines penalties and forfeitures made within the several counties of the state.

Sec 5. No part of the school fund of any County shall be issued for any other purpose than that for which it is designed, nor shall it be invested in any stocks or bonds or other obligations.

Mr Fishback of Sebastian offered the following as a substitute, viz:

Resolved, That it is the sense of this convention that a thorough system of free public schools for both white and colored children should be provided for, but the General Assembly should be forever prohibited from levying any tax or making any appropriation for what is known as mixed schools.

The resolution and substitute were referred to the Committee on Education.

Mr Hamm of Phillips offred the following, viz,

Resolved. That no money shall be drawn from the treasury except in pursuance of specific appropriations made by law, the purpose of which shall be distinctly stated in the bill and the maximum amount of which may be drawn shall be specified in

dollars and cents; and no appropriation shall be for a longer period than two years. On the passage of such bills, or on concurring in amendment thereto, a separate vote on any item or items thereon, shall on demand of any member, be had by yeas and nays, and entered on the journal; and every such item failing to receive the vote of the requisite majority of the members elected to the house in which the bill is pending, shall be stricken therefrom, and each item receiving such majority shall be declared passed.

The resolution was referred to the committee on legislative department.

Mr Williams, of Jefferson, offered the following:

Resolved, That all resolutions pertaining to the organic law, when presented to the convention, be referred to the appropriate committee without debate, unless the mover of the resolution designate some committee to which it may be referred.

Mr Bunn, of Ouachita, offered the following amendment:

Resolved, That no standing committee shall be circumscribed and limited to any resolution of this convention but that every standing committee be directed to act freely on all matters, subject only to the action of the convention after reports are made.

Mr Williams accepted the amendment.

The resolution was laid over until to-morrow.

Mr Ross, of Clark, offered the following which was referred to the committee on "legislative department":

Resolved, That the committee on legislative department be requested to enquire into the expediency of incorporating the prohibiting of the members of the General Assembly from receiving more than three dollars per diem after said assembly has been in session forty days.

Mr Anderson, of Lee, moved that Mr Dowell, be added to committee on Education. Carried.

Mr Harrison, of Gill, then offered the following resolution

Whereas, There are large quantities of railroad lands in this State which are being cultivated and from which the railroad companies are collecting large amount of rents, and, whereas, said companies are not paying any tax on said lands nor upon any of their property in this State, and whereas, in all governments the burden of government shall fall

equally upon all, therefore, be it-

Resolved, That all property in this State belonging to rail-road Companies, be subject to the same rules of taxation to which other property is liable;

And, That the Committee on Judiciary be required to examine the question and report at an early day whether there are legal obstructions beyond the control of this convention to the levying of taxes by the State on the lands and other property owned by the various Railroad Companies now in operation in this State.

Mr. Smith moved that Mr Harrison's resolution be referred to the Committee on Finance.

Mr Harrison, objected. He thought the matter should be discussed for the information of the Convention.

Mr Leiper moved to refer to the Committee on Judiciary. Carried.

On motion of Mr Mansfield of Franklin, Mr Orison of Lawrence was added to the Committee on Miscellaneous provisions.

Mr Burnor of Pocahontas offered the following which was referred to the Committee on railroads:

Resolved, That the Committee on railroads and other internal improvements be instructed to inquire into the feasibility and propriety of making provision for stock-holders and corporations being made responsible for laborers' wages as against the default or fraud of contractors & sub-contractors.

Mr Scott offered the following:

Resolved, That upon the presentation of the reports of the various Committees to this convention the same shall be read on three several days before the same shall be sent for their final adoption in order that each member of this body may post himself fully upon the provisions to be made a part of the Constitution of this State. Laid over under the rules.

Mr Whitwood to adjourn until Thursday morning at 9 o'clock.

Mr Smith moved to amend by stating Friday morning at 9 o'clock. The amendment was accepted, and the Convention at 4 o'clock & 35 adjourned.

Wm Thomas & Hay Clerk

President pro tem

Thomas M. Newton
Secretary.

Friday Morning.
July 24th 1874.
9 o'clock A.M.

The Convention met pursuant to adjournment.

The Secretary called the roll and the following named members answered to their names:

Anderson of Lee.	Anderson of Craighead.	Bunch.	Butler.	
Independence.	Butler of Pulaski.	Bailey.	Dunn.	Barnes.
Blackwell.	Brown.	Bates.	Brown.	Gyant of Baxter
Gyant of White.	Cunningham,	Crawley.	Easter,	Carroll
Calder,	Cartch	Cagle	Chism	Arrens
Conaway.	Doswell.	Gordon	Eakin	Cagle
Flanagin	Ficerson	Fishback	Gibson	Garland
Gulley	Godwin	Horner	Harrington.	Harrison
Horror	Hughes	Hawkins	Hanna	Howell
Johnson	Joyner	Jones	Kilgore	Kelly
Leiper	Lucas	Lester	Lindsey	Lake
Mosley	Mansfield	Murphy	Miller	Niven
Patterson	Quinney	Pierce	Perkins	Parratt
Pulliam	Reed	Rogers	Ross	Rector
Rutherford.	Reinhardt,	Smoote	Stanley	Tate
Smith of Lafayette.	Smith of Saline.	Sorrels.	Thomason of Crawford	
Thomason of Warrington		Thompson,	Williams of Jefferson	
Williams	of Little River.	Williams of Izard.	Williams of Union	
Walker.	Pitt	Mr President.		

Hon Mr White of Phillips and Mr Berry of Jefferson appeared in their seats and answered to their names.

The Journal of the preceding day was then read and approved.

The President here laid before the convention the reports of the various Executive State officers, in compliance with a resolution heretofore adopted by the convention, which were ordered to be read.

First, a report from His Excellency Gov. Elisha Baxter which is as follows, To wit:

"The Hon Grandison D Royston
President of the Constitutional Convention.
Sir:

In response to a resolution of the Constitutional Convention requesting the several Executive State Officers to report to the convention as soon as practicable the number of clerks and employees in their respective departments and the salaries of each and in what manner the same are paid; Also the current monthly expenses &c, I have the honor to report that in addition to a private secretary who by law receives the sum of two thousand dollars per annum in script, I have had in my employ at the Executive Office

one clerk and one usher; the former at the rate of two thousand dollars per annum, and the latter at rates varying from forty to sixty dollars per month, each paid in state scrip and out of the Contingent fund of the Executive Department.

I have kept no such account as will enable me to say what amount per month has been expended, but respectfully refer to the records of the Auditor's office for information on this subject.

I am of the opinion that the expenses of the Executive office can be defrayed with three thousand dollars per annum upon a currency basis, and in the event the Convention (as I hope it may do,) shall curtail the power and a corresponding extent the duties of the Governor of the state, it may be done for less.

The foregoing suggestions relate to the legitimate expenses of Executive office only, and not to numerous other claims which although they have no connection with department are usually paid out of the contingent fund.

Respectfully submitted.
Elisha Baxter.
Gov. & Ex. Off.

The report of Hon J M Johnson, Secretary of State was then read which is as follows, to wit:

"Office of Secretary of State
Little Rock July 21. 1874

Hon Granderson D Royston.
President Constitutional Convention.
Sir:

In compliance with a resolution adopted yesterday by the convention, I have the honor to report as follows:

Number of clerks and Employees, with Salary.

One Deputy at $150 (00) per month, Currency
One Clerk at 100. 00 " " "
One Library Clerk at 100. 00 " " "
One Janitor at 20. 00 " " "

These are paid in State scrip at market rates, sufficient amounts being issued to cover the salaries in Currency.

Included in the current monthly expenses of this department are Express charges on books received from other states for the Library, amounting to about twenty dollars per month in currency, and postage for office and library amounting to as much more.

At certain seasons the expense of conducting the Library is greater than at others, as for instance, - when distributing Acts, Journals, etc, and receiving same from other states after session of assembly.

I am of opinion that this department can be properly conducted at an expense to the state of about ($450) Four hundred and fifty dollars or Five hundred dollars per month in currency Exclusive of the salary of Secretary of State.

I have the honor to remain
Very respectfully
Your obedient servant.
J. M. Johnson
Secretary of State.

The report of Hon R C Newton, Treasurer of State, was then read, which is as follows, to wit:

"State Treasurers Office
Little Rock Ark. July 21. 1874

Hon. E. D. Royston
President of the Convention.

In response to resolution handed me this morning, I have to report the following as the expenses of this office, for month, for salaries and the number of persons employed.

Treasurer salary per month		in Currency		$250.00
Cashier	"	"		200.00
Book Keeper	"	"		150.00
3 Clerks	"	"	$125 Ea	375.00
3 Clerks	"	"	$100. Ea	300.00
				$1275.00

also Janitor in state. script $25.00 per month.

Before paying the employees, the highest price for which script can be disposed of is ascertained, and their accounts made out accordingly, and paid to them as equivalent to currency. This has been necessary in order to procure competent and responsible men to perform the duties of the office. The Assessor is paid $250 per month in script as is the janitor $25.00

Should the issue of script stop, and the state expenses be brought to a currency basis, the expenses of this office could be reduced in a short time to about one thousand dollars per month.

Respectfully submitted
R. C. Newton
Treasurer of Arkansas
By Jas. A. Mathis. "
D.T.

The report of Hon J. P. Smith, Commissioner of State Lands and Immigration, was then read, which is as follows, viz;

"Office Commissioner of Immigration & State Lands.

Hon Granderson K. Royston
President of the Constitutional Convention.

In obedience to a resolution

passed by your honorable body on the 2d inst calling on the Executive Offices of the State government for a list of clerks and employes now in service of each, their pay and the amount necessary to carry on each department in Currency; I have the honor to submit the following;

I have in the employ of the State Land Office at the present time, the following clerical force at the monthly salary given, after the name of each;

John Ingram, Chief Clerk	$150.
Ed Hobler	125.
J R Brashears	100.
R V Yeakle	100.
S B. Reardon	100.
L. H. Lease	100.
J G. Reilly	75.
C H Officer	75.

Under ordinary circumstances this would be a large force to keep in this office. The necessity for its employment however was created by my predecessor.

For one month previous to my appointment, the office was occupied by the armed forces then infesting the State house, as a guard room, and rendezvous for the colored men principally, who seemingly having no regard for records or knowledge of their value, used them for pillows and seats, breaking open large packages of papers and leaving them scattered on the floor.

As soon as appointed I commenced the work of reconstruction and investigation. I found the following work absolutely necessary to be done at once in order to transact business with safety to individuals and the state. viz:

1st The scattered records to be gathered up, arranged, and replaced.

2nd All authorities from lands since December 31st 1872, about 2000 entries embracing 470402 acres to be entered on the tract books. This should have been done each day as the lands were entered, but I found on taking possession of the office that the books had not been posted for a year and a half.

3d These entries to be compared with the plats and applications.

4th. Two hundred and fifty entries comprising about 181,000 acres of swamp land to be entered on the day book and application folded and filed.

5th The record of 800 swamp land patents, to be posted on the tract books.

6th The same as to patent, re-funding, and duplicate certificates — about 500.

7th. Over 5000 entries of donation and sales of forfeited lands, comprising about 10000 tracts to be compared with the applications and sales books and entered on official record.

8th. Folding, indorsing, and filing applications for donations and sales — about 3000 others.

All of this work should have been done by my predecessor

together with much other work of a similar character which I found absolutely necessary in order to an intelligent transaction of the business of the office. The failure in having the books properly posted had caused many mistakes and errors during the last year especially. This has caused some delay in the work requiring great care in investigating conflicting entries.

The most important part of this work will have been performed by the end of the present month, when the services of two clerks can I think, without safety and propriety be dispensed with, unless the new business now increasing should demand their retention.

In my administration I have been guided solely by the necessary labor to be performed. I have paid the clerks engaged in my office, by certificate an sufficient amount as being due them as would at the market price enable them to realize their salary in currency. — Efficient clerks can be obtained in no other way.

The lowest amount in U.S. currency required each month in the future, after the close of the present month, in order to properly conduct the business of this office is as follows:

One Clerk		$100.—
Five Clerks	@ $100.00 Each	120.—
Postage		400.—
Stationery		26.—
Janitor		50.—
		15.—
		$765.

Respectfully Submitted.
J. N. Smithee
Commissioner Immigration and State Lands.

"The report of Hon. J. R. Berry, Auditor was then read which is as follows, to wit:

"Auditors Office.

"Hon. The Honorable, The Constitutional Convention of the State of Arkansas.

Gen.

In response to the resolution of the convention dated July 21st 1874 requesting information regarding the clerical force employed at the different State Departments, and an estimate of the lowest amount for which each department can be conducted for a month in currency, I have the honor to state that there are at present employed in this office as a regular force, Eight clerks divided as follows: — One Chief Clerk, and One bookkeeper, Five clerks in the Land Department having charge of all field notes, Forfeited lands, and the records and plats of the U.S. surveys and other land records. Two clerks connected with the issue of warrants, registration and comparison of same, and other duties, and one clerk employed in copying similated records under special act of April 25, 1873, and one janitor.

These comprise the regular force of this office, but owing to accumulation of work in consequence of the late trouble, the settlement and closing up the accounts of the collectors and reports to be prepared for the constitutional Convention it has been necessary to employ temporarily, two additional clerks; this however is but a temporary matter.

The compensation paid clerks in office, is as follows:

Chief Clerk and Bookkeeper $150. each, per month
5 Clerks @ $125. each, per month
1 Clerk @ $80. per month
1 Janitor @ $20.

making per month for the regular force $1025.00
The clerks employed temporarily are to be paid at the rates of $150. per month. The salaries of the clerks in this office have been paid in currency prices, the amount of scrip varying with the price thereof, the highest market rate being taken as the standard.

Owing to the immense amount of labor to be done in the Auditors office I am satisfied that it will take eight clerks in conjunction with the Auditor, to do the work and to pay these clerks at the rates aforesaid and to pay the postage and expressage &c. it will require $1100. per month in U.S. currency to conduct the office properly.

J R Berry
Auditor.

The report of the Attorney General was then read, which is as following, to wit:

"To the President of the Constitutional Convention.

The Attorney General in obedience to the resolution of the 21st of July instant, reports that there are no clerks or other employes in his office. That the current expense of said office has been since his incumbency - thirty five ($35.00) dollars per month, and the same cannot be conducted at a smaller cost per month in currency.

The foregoing statement covers the following items, viz:

Office rent $25.00. Stationery $5.00 Postage $5.00

He further reports the largest Expenditure growing out of the business of his office relates to the cost accruing in legal proceedings to which the state is a party - the principal of which are the proceedings to foreclose the lien of the state against lands sold by her and not paid for by the purchasers, and the foreclosure of the mortgages on the Real Estate bank lands. In a multitude of the parties are never found, or are insolvent, and the state is under the necessity of having the lands sold and purchased by her agents. In such cases the cost of proceeding has to be paid out of the state treasury, - the amount depends upon the number and dispositions of the cases, and cannot be estimated with any certainty.

James L. Pickerson Atty Gen'l"

A report was then read from Hon R C Newton, State Treasurer, exhibiting expenditures on account of the "Fund to pay interest on the Public debt", which is as follows, viz:

"State Treasurers Office
Little Rock Ark
July 22. 1874.

Hon L D Royston
President Convention.

Sir. In response to a resolution handed me on yesterday, I enclose this statement showing the condition of the "Funds to pay interest on the public debt" up to and including the 15th inst.

The balances of State Scrip, Real Estate Bank Bonds and State Bank Bonds belonging to and are the "Sinking fund". There never has been an over plus in "funds to pay interest on the public debt" in currency, and of course there is no currency in the "sinking fund."

Very respectfully submitted
R C Newton
Treasurer.
By James C A. Martin
D.T. "

Exhibit of report, as follows, viz:

"Report of the receipts and Expenditures of the State Treasurer on account of the Fund to pay interest on the public debt"

	U.S. Currency	State Script.	Real Estate Bank bonds.	State Bank bonds.
Balances on hand Oct 1. 1873.	$ 233.382.00	217.051.27.	4.887.21.	4.727.14
Received to July 15, 1874.	564183.88	233.876.50	38.203.52	9.888.14
Total	$ 797565.88	$ 450.927.77	$ 87.090.73	$ 14.615.28
Paid on Auditors Warrants	34.651.29			
" Account of Loans	245.000.00			
" interest on the Public Debt	479.365.00			
Total	$ 759.016.29			
Balances on hand July 15. 1874.	$ 38.549.59	$ 450.927.77	$ 87.090.73	$ 14.615.28

Correct

R. C Newton
Treasurer.
Per Jas A Martin
D.T. "

A report of Hon J T. White, Commissioner of Public Works and Internal Improvements, was then read, which is as follows, to wit:

"State of Arkansas
Department of Public Works
and Internal Improvements.
Little Rock July 21. 1874.

Hon L. D. Royston.
President Constitutional Convention
State of Arkansas,
Sir:

In compliance with

the resolution of your honorable body in reference to the current expences of the different departments of this State, I beg leave to submit the following report, viz:

Number of Clerks. Three.

Amount paid each per month, One Hundred dollars in specie.

Contingent expences — Janitor hire, Stationery, fuel, gas, etc, Fifty dollars per month, currency.

I beg leave to further report that the lowest amount in currency for which this department can be properly conducted, is One Hundred and fifty dollars per month.

Respectfully submitted

James T. White

Com'r Rev & S.

The resolution introduced by Mr Williams of Jefferson on yesterday, with the amendment offered by Mr Dunn of Ouachita came up as unfinished business.

It having been announced by the President that the resolution would operate as a standing rule of the convention, the question being put, the same was adopted by a two thirds vote of the convention.

The following resolution offered by Mr Scott of Pope, on yesterday came up for action.

Mr Thomason of Crawford moved to amend by ordering certain portions of the reports having reference to articles proposed to be adopted in the constitution be printed.

The amendment was accepted by Mr Scott, but after some discussion, Mr Thomason withdrew it.

The question then recurred upon the adoption of the resolution.

Mr Flanagin offered the following as a substitute:

"Resolved, That proposed parts of the Constitution reported from committees shall be printed and read on three several days before being adopted."

Mr Thomason of Crawford upon the same subject submitted the following, viz:

"Resolved, - That when the committee on the arrangement and revision of the Constitution shall report a draft of a constitution for the adoption of this convention, the same shall be printed and read on three several days before the same shall be voted upon, or adopted."

Mr Killgore of Columbia moved to lay the whole matter on the table, which was carried.

Mr Miller of Randolph then submitted the following petition which was referred to the Committee on Legislative Department -

"State of Arkansas.
County of Randolph.
June 30th 1874.

"We the citizens of said county and voters in Little Black Township, in view of Legislative abuse, and in order to obtain relief from unnecessary and burthensome taxation. hereby instruct our Delegates in the Constitutional Convention of said state to vote for a quadrennial Legislature.

Signed

W. R. Johnston
Wm G Fowler
J. K. Richardson and 102 others."

Mr Eichbaum of Sebastian moved to add W. Williams of Little River "to the Committee of Finance, Taxation and Public debts and expenditures"

Which was carried.

Mr Johnson of Calhoun, Chairman of the Committee on Militia, then presented the following sections under the head of "Militia"

Sec 1. The militia shall consist of all able bodied male persons between the ages of eighteen (18) and forty five (45) years, except such as may be exempted by the laws of the United States in this State, and shall be organized, officered, armed and equipped, and trained in such manner as may be provided by law.

Sec 2. Volunteer companies of Infantry, Cavalry or Artillery may be formed in such manner and with such restriction as may be provided by law.

Sec 3. No person conscientiously opposed to bearing arms shall be compelled to do Militia duty but such person shall pay an equivalent for exemption; the amount to be prescribed by law and appropriated to the Common School Fund.

Sec 4. The Volunteers and Militia shall in all cases except treason, felony and breach of the peace be privileged from arrest during their attendance at muster and the election of officers, and in going to and returning from the same.

Sec 5. The Governor shall alone have power to call out the Volunteers or Militia or both, to execute the laws, repel invasion, repress insurrection and preserve the public peace."

Which was ordered to lay upon the table and two hundred copies be printed.

Mr Fishback of Sebastian County then offered the following resolution:

Resolved. That the Secretary of State be directed to report to this convention under what Act of the General Assembly, if any, and if none, under what other authority the different Departments of the State Government of Arkansas are disbursing their respective expenses in scrip at any other rate than at a par value.

Mr Flanagin moved to amend by inserting the word 'auditor'

Which amendment was accepted by Mr Fishback.

Mr Rector moved to further amend by saying "the Executive officers of the State government".

The resolution was so amended.

The question then recurring upon the adoption of the resolution, Mr Fishback called for the Ayes and Noes.

The Ayes and Noes were ordered.

The Secretary then called the roll and the following named members voted in the affirmative, viz:

Anderson of Craighead.	Blackwell.	Brown.	Bates.	Bakerman.	
Crowley	Crutcher.	Carter	Crisen	Dorris.	Dunaway
Dosbell	Eagle	Fishback	Gibson	Garland	Gulley
Goodwin	House	Harrison	Honor	Hughes	Hanna
Howell	Johnson	Joynes	Kinsworthy	Leiper	Lester
Lindsey	Lake	Mansfield	Miller	Nixon	Patterson
Pierce	Parrish	Pyeatt	Rogers	Rector	Rutherford
Stanley	Scott	Smith of Lafayette.	Smith of Saline.	Sorrels	
Thompson of Washington		Thompson	Williams of Jefferson.	Williams	
of Little River		Williams of Sharp.	Williams of Union		
Walker.	Mr.	Mr President.			

Those members voting in the negative were:

Anderson of Lee.	Bunch,	Butler of Independence.	Berry.		
Bailey.	Dunn.	Barnes.	Brown.	Bryant of Baxter	
Bryant of White.	Cunningham.	Carroll.	Cadle	Eagle.	
Hodson.	Eakin	Flanagin.	Frierson.	Hampton	Hawkins
Jones	Killgore	Kelly	Lucas	Mosley	Murphy.
Perkins	Odek	Rose	Reinhardt	Inmate.	Thompson
of Crawford.	White.				

In the affirmative 55
In the Negative 34
Not voting 02

So the resolution was adopted.

Mr Kellogg of Columbia sent to the Secretarys desk the following explanation of his vote.

"I vote no, because we already know that there is no law except the law of imperative necessity justifying or authorizing such action on the part of the officers designated."

Mr Leiper of Dallas sent to the Secretarys desk the following explanation of his vote:--

"I vote 'Aye' for the following reason that I believe the powers of this convention extend to all legislative purposes and inquiries pertaining to the framing of good government; that the voice of the people should be heard without circumscription"

Mr Smith of Saline sent to the Secretary's desk the following explanation of his vote.

"By voting 'Aye', I do not wish to be understood as at present conceding that this convention has any authority or power to go further than to frame a Constitution, to be afterwards submitted for the approval of the people; but, to give the various officers an opportunity to justify their acts if they can. And if the same is done, that is to say, the payment of about $4 to $1. is done in violation of the present express Constitutional provision making the compensation of officers payable in a certain currency, for the same may be provided in the constitution made by this convention.

Mr Smoot of Columbia sent to the Secretarys desk the following explanation of his vote:

"I vote 'no' because I do not regard the officers of the state government the proper persons to furnish this convention with the legal information it may want, and not because I disapprove their action in the matter involved in the resolution.

Mr Thompson of Crawford sent to the Secretarys desk the following explanation of his vote viz:

"Mr President. I vote 'no' because I am well satisfied that there is no law authorizing the payment of four dollars per day, for any purpose."

Mr Copeland of Clay then introduced the following resolution which was referred to the Committee on Legislative Department

Viz: That the legislature apportionment for

members of the general assembly shall be made every ten years after the year One thousand Eight Hundred and Seventy four in the manner hereinafter provided.

Sec 2. The population of the State as ascertained by the Federal census, or in such other mode as the General assembly may direct, shall be divided by the number one Hundred and five, and the quotient shall be the ratio of representation in the House of Representatives for the ten years succeeding such apportionment.

Sec 3. Every county shall be entitled to one representative. Every county containing said ratio and one half over, shall be entitled to two Representatives. Every County containing three times said ratio shall be entitled to three representatives, and so on regaining after the first two, an entire ratio for each additional representative.

Sec 4. The ratio for a Senator shall be ascertained by dividing the population of the State by the number thirty seven (37). The districts formed shall be contiguous territory and bounded by county lines, and such additional Senators for fractional ratios as are provided for in this article.

Sec 5. When a county shall have a fraction above the ratio so large that multiplied by five, the result will equal to one or more ratios additional representatives shall be apportioned for such ratios in the following manner.
If there be there only one ratio, a representative shall be allotted to the fifth General assembly of the decennial period; if two ratios, a representative shall be allotted to the fourth and third General Assemblys.
If three to the third, second and first General Assemblys.
If four to the fourth, third, second and first General Assemblys respectively.

Sec 6. The same rules shall be applied in apportioning the fractional of Senatorial Districts that are applied to the fractions of representative districts, and any senatorial district which may have less than one half of a senatorial ratio at any decennial apportionment shall then be attached to the contiguous district having the least population.

Sec 7. Any county forming part of a senatorial district having a population equal to a full senatorial ratio at any decennial apportionment, shall then be made a separate senatorial district if a full senatorial ratio be left in the district from which it is taken."

Mr Stillinger of Jefferson then submitted the following resolution:

"Whereas, The practice obtaining in the State, of

authorizing suits against the owners of lands denominated School, University, and Internal Improvement Lands, to be brought in the Chancery Court of Pulaski County, thus compelling the defendants in such suits at a large expense to themselves and their attorneys, to attend court at unreasonable distances from their homes, is extremely burdensome upon said defendants, Therefore

Resolved, That the Judiciary committee be requested to prepare an ordinance to be submitted to this convention at as early a day as possible, requiring that in the future all such suits shall be brought in the circuit court for the county where the land effected is situated, and also that all such suits now pending shall be transferred to the proper county upon the written application of the defendant"

Which was referred to the Committee on Judiciary.

On motion of Col. Johnson at 11.30 o'clock A M the Convention adjourned until tomorrow morning at 9. o'clock.

Granderson D Murphree
President

Thomas W. Newton
Secretary.

Saturday Morning
July 25th 1874.
9 o'clock a. m.

The Convention met pursuant to adjournment.

The roll was called and the following named members answered to their names:

Anderson, of Lee,	Anderson, of Craighead,	Bunch.	Butler, of Independence.		
Butler, of Pulaski.	Berry	Bailey.	Brunn.	Barnes.	
Blackwell.	Brown.	Bates.	Booth.	Cypert, of	Baxter.
Cypert, of	White.	Copeland	Cunningham.		Crowley.
Crittenden	Carroll	Cabler.	Carter.	Eagle	Chism.
Downs.	Dunaway.	Dowell.	Dodson.	Eakin.	Eagle.
Flanagan.	Frierson.	Feilbach.	Gibson	Garland.	Gilley.
Goodwin	Howell	Hampton.	Harrison.	Horton	Hughes.
Hawkins.	Hanna.	Howell	Johnson.	Joyner.	Jones.
Kellogg	Kelley.	Kinsworthy	Leiper.	Lucas	Lester.
Lindsey	Lake.	Mosley	Mansfield.	Mosley.	Miller.
Niven.	Patterson.	Pennington.	Peck.	Perkins.	Pulliam.
Polk. —	Rogers.	Ross.	Rector.	Rutherford.	
Reinhardt.		Smoote.	Stanley.	Scott.	

Smith, of Lafayette. Smith, of Saline. Sorrels. Thomason, of Crawford
Thomason of Washington. Thompson. Williams, of Jefferson
Williams of Little River. Williams, of Sharp. Williams of Union
Walker. White. & McPresident.

Mr. White, of Phillips, was excused on account of sickness.

Prayer by the Chaplain.

The Journal of the preceding day was then read corrected and approved.

The President then submitted the following letter from his Excellency Governor Baxter, with the accompanying communication from the President of the Arkansas deaf Mute Institute.

Executive Office Little Rock Ark
July 24th 1874.

To the Honorable
Grandison D. Royston
President of the Constitutional Convention
Sir -

Enclosed I herewith transmit a communication from the President of the Deaf Mute Institute.

The communication will explain itself and is worthy the consideration of the convention -

Very respectfully.
Elisha Baxter -
Governor of Arkansas.

Arkansas. Deaf Mute Institute,
Little Rock Arkansas.

To His Excellency Elisha Baxter Gov.

The undersigned as President of the Arkansas Deaf Mute Institute; would respectfully represent for your information and the Convention when in session should you think proper or advisable to Communicate the same to that honorable body.

There is at said Institution sixty five (65) pupils; Deaf Mutes, under instruction. The Officers are a Principal, Matron, and assistant matron as also four teachers and a Competent Physician Connected with the Institution

There was appropriated by the last General Assembly the sum of twelve thousand dollars per annum for the payment of Principal, and all other Officers incidental expenses, etc, which is now entirely exhausted.

There was also appropriated the sum of three hundred and ten dollars per annum for the support of each pupil. Those estimates were submitted by the Board of

of Directors to the General assembly as being about the ordinary expenses of the Institute in U. S. currency; all our contracts and dealings being based upon that currency. The appropriations being made and paid in Arkansas Treasury Warrants, have left the institution in debt for the last quarter ending on June 30th last. The warrants had to be disposed of at the Market Price fluctuating in value from 50 cts to 20 cents on the dollar, Not much over one third of the face value of said warrants were realized; Hence we find that the Institution received but little over $4700, per annum instead of $12000, to pay Principal matrons and teachers as well as all other incidental expenses. The same unfortunate state of facts exist as to the appropriation as to the pupils fund of $3100 per annum. The debts now due and unpaid by the Institution are in the aggregate about $4000 to the end of June last. The regular term Commences in October next. Should no action be taken or appropriation made by the proper authorities to sustain this Institution in providing means for the payment of its obligations and for its continuance and support it must of necessity be abandoned and closed up. The Board of Directors have labored for years almost as a gratuity to further the interest of so benevolent and praiseworthy an undertaking. They are willing to continue their charitable work. It is for the State however through her constitutional authorities to say whether we shall continue in our work by giving us the means to do so, or in failing in that the Institution must be blotted out closed up, and a benevolent Institution cease to exist. The Board of Directors would be pleased to make to your Excellency or to any committee a full and complete statement of all their fiscal transactions with the said Institution from its commencement, but more particularly so since my last report to you in 1872. as also to show our progress in building and other property belonging to the State.

Very respectfully,
John Wassell.
President.

Which was referred to the Committee on Education.

Mr Scott, of Polk then made the following motion.

Mr President.

I move that the Secretary be directed to have the daily proceedings of this convention correctly transcribed in a well bound book to be kept for that purpose, and, that each days proceedings be signed by the President and attested by the Secretary and that the President shall appoint a Special Committee of three whose duty it shall be to compare and revise each days proceedings, as they are recorded, and that at the adjournment of this Convention the record of the proceedings as aforesaid be filed in the Office of Secretary of State.

On motion of Mr Branch, of Carroll Mr Smith, of Lafayette was

added to the Committee on Legislative department.

Mr. Sorrels, of Scott offered the following, viz:

Whereas, a large amount of revenue has heretofore been levied upon and collected from citizens of this state for the benefit of the Common School fund and whereas but a small amount of said revenue has inured to the benefit of said schools, Therefore be it

Resolved, That the committee on education be instructed to inquire into the propriety of leaving the question of public schools to the electors of the different Counties respectively to be voted upon at the time the Constitution is submitted for ratification, and at each general election thereafter, and in case a majority of votes cast in any County at said election are for public schools, then and in that case it shall be the duty of the County Court to divide said County into a convenient number of school districts, which districts shall have the power to vote such amount of tax not exceeding five mills upon the dollar as may be necessary to carry on a public school in said district.

That said tax shall be assessed and collected as the County taxes are assessed and collected and shall be by the Collector paid into the County treasury whose duty it shall be to disburse said funds to the district to which it belongs upon the proper orders. That said collector or treasurer shall receive no compensation for the collection or disbursement of said funds.

Which was referred to the Committee on education.

Mr. Leiper, of Dallas then offered the following resolution which was adopted.

No person elected to the General Assembly of this state or to a convention to revise the Constitution thereof or elected or appointed to any judicial or executive state or county office:

Shall from the time of his election or appointment until the end of the time for which he was elected to such office, knowingly accept from any rail-road or transportation company any free pass gift or commuted service not offered to the public.

Mr. Chism, of Garber then offered the following resolution, viz:

Resolved, That the following official oath be adopted by this Convention Senators, Representatives and all judicial state and County officers, shall before entering on the duties of their respective offices take and subscribe the oath or affirmation:

I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Arkansas, and that I will discharge

the duties of any office with fidelity.
that I have not paid or contributed or promised to pay or contribute either directly or indirectly any money or other valuable thing to procure any nomination or election, that I have not knowingly violated any election law of this state or procured it to be done by others in my behalf.- that I will not knowingly receive directly or indirectly any money or other valuable thing for the performance or non performance of act or duty pertaining to any office other than the compensation allowed by law

Any person refusing to take said oath or affirmation shall forfeit his office". Any person who shall be convicted of having sworn falsely or of having violated said oath or affirmation shall be guilty of perjury and be forever disqualified from holding any office of Trust and profit within this state.

To the official oath Mr Thomason, of Crawford offered the following amendment.

That I will not accept any other office State or Federal during the term of office upon which I am now about to enter.

Which was accepted by Mr Ohlson, and the resolution referred to the Committee on "Miscellaneous provisions".

Mr Gibson of Arkansas then offered the following which on motion was also referred to the Committee on Miscellaneous provisions",

Resolved, That the Committee on legislative department be requested to enquire into the propriety of inserting the following clauses into the Constitution to wit:

Section 1. Every person who shall be chosen or appointed to any office of trust or profit under this Constitution or any Law made in pursuance thereof shall before entering upon his duties thereof take an oath to support the Constitution of the State of Arkansas of the United States, and an oath of office.

Section 2. Each member of the Senate and House of Representatives shall before they proceed to business take an oath or affirmation to support the Constitution of this State and of the United States and also the following oath "I I — do solemnly swear (or affirm) that as a member of this General Assembly I will in all appointments vote without favor, affection, partiality, or prejudice, and that I will not propose or assent to any bill vote or resolution which shall appear to me injurious to the people, or consent to any act or thing that shall have a tendency to lessen or abridge, their rights privileges as declared by the Constitution of this State.

Mr Hughs, of Monroe then offered the following resolution.

Whereas. An increase of population, the accession of

capital, the development of the wealth and resources of the State and the establishment of a variety of branches of industry within her borders are of prime importance; And whereas; in order to secure these ends some special inducements should be offered, therefore

Resolved. That the Committee on Finance, Taxation Public Debt and Expenditures inquire into and report upon the expediency of exempting from taxation by constitutional provision for a period of ten years, the capital tools machinery as employed in manufacturing and also the productions of manufactories within the State.

Which was referred to the Committee on Finance, Taxation Public debt and expenditures.

Mr. Harrison of Yell then introduced the following resolution.

Resolved. That it is the duty of this convention to incorporate in the Constitution a provision that shall require the Legislature to enact stringent laws to protect laborers and ignorant men not able to read and write from being swindled in their Contracts by educated and unprincipled men.

Which was referred to the Committee on Miscellaneous provisions.

The President here announced as the Committee to inspect and revise the proceedings of the Convention,

Messrs Scott of Pope. Barnes of Pulaski, Gulley of Izard

The convention at 11 o'clock and forty minutes on motion of Mr Johnson of Calhoun, adjourned, until Monday morning at 9 o'clock.

Prendleton & Royston

President pro tem

Thomas M. Newton.
Secretary.

Monday Morning,
July 29th 1874
9 o'clock a.m.

The Convention met pursuant to adjournment.

The roll was called and the following named members answered to their names.

Anderson, & Lee. Anderson & Craighead. Bunch. Butler, & Independence
Butler & Pulaski. Bailey. Bunn. Barnes.
Blackwell Brown. Bates. Bowen. Bryant, & Buck
Bryant & White. Cunningham. Crowley.
Carter. Carroll. Cabler Carter Cagle
Chism. Downs. Dunaway. Dowell Dodson.
Eakin. Eagle Flanagan Frierson, Fishback
Gibson, Garland. Gilley. Fordwin
Hampton. Harrison. Horner. Hughes. Hawkins
Hanna Howell. Johnson. Joyner Jones.
Killgore, Kelley Kinsworthy. Lyon. Lucas,
Lester. Lindsey Lake. Mosley. Mansfield,
Miller. Nixon. Patterson Quarles.
Price. Perkins. Parrott Pulliam.
Rogers. Ross. Rector Rutherford
Smoot Stanley. Scott Smith & Lafayette.
Smith & Calvin. Sorrels. Thomason & Crawford.
Thompson & Washington. Thompson. Williams & Jefferson
Williams & Little Rice. Williams & Shark Williams, & Union
Walker. Witt & Mc President.

The following named members failed to answer to their names upon a call of the roll. viz:

Copeland. House Murphy. Polk Reinhardt & White.

When Mr Berry's name was called Mr Williams, of Jefferson asked that Mr Berry be excused and that he have a leave of absence for three or four days on account of death in his family which was granted.

Prayer by Rev Mr Keep the Chaplain.

Hon White, of Phillips, Mr Copeland, of Crittenden, Mr House, & White Mr Polk and Mr Reinhardt answered to their names

Mr President laid before the Convention the following communications from the various executive Officers of the State Government, in a response to a resolution of the Convention.

First a report from Hon R. C. Newton, Treasurer of State which is as follows to-wit:

Treasurers Office,
Little Rock Ark
July 25th 1874.

Hon. G. D. Royston,
President Constitutional Convention.

In reply to resolution forwarded me, this morning, I would say that under an act approved 18th of March 1871. it is made the duty of the Treasurer to issue "Treasurers Certificates", and a sufficient sum of money is hereby appropriated to defray the necessary expenses incurred in carrying out the provisions of this act".
Under this Act most of the Clerks in this office are employed and it is "necessary" to pay them different salaries for different months, first in proportion as said "Treasurers Certificates" represent "Money", the article that was appropriated in said Act, at the Banks or other business houses.

Others are employed under an act approved April 26th 1873. and reads "A sufficient amount to pay" &c.

It is impossible to pay other than the currency basis or to employ the competent and reliable clerk otherwise and it is the custom of this office to pay "a sufficient sum" of "Treasurers Certificates" to ensure the employment of such that are capable and trustworthy, at the same time it would afford great pleasure to be able to employ the force needed and pay them in currency or on funds that would represent "A sufficient amount of money" And that was equal in value, to Currency

Very Respectfully &c
W. E. Newton, Treasurer
per Chas A. Martin D.T.

Report of J. R. Berry, auditor as follows, to-wit:

Auditors Office

To the Honorable Constitutional Convention of the State of Arkansas.

In response to the resolution of the Convention adopted on the 24th day of July 1874 directing the Heads of the respective Departments of the State to report to the Convention under what authority the different departments of the State Government of Arkansas are defraying their respective expenses in scrip or at any other rate than at par value. I have the honor to state that when I took charge of the Office on the 29th of May. 1874. I found there was a great amount of work behind time and necessary to be done and to that end I employed as has been the custom in the several departments heretofore what I deemed the necessary clerical force in aid of the Auditor to discharge the duties of the Office. In getting up this Clerical force I selected such persons as were well qualified and adapted to the business of the Aud

and agreed that they should be paid the usual or customary price heretofore paid clerks in the several departments according to grade. The Auditor also found in taking charge of the office that the assessment blanks, the assessment and tax books for the assessment and collection of the taxes of 1874 were to be sent out to the several county clerks of the State, of these there was near two tons in weight to pay for transmitting the blanks, Books, &c incurred a heavy expense that had to be met and it is known to your Honorable Body that under our laws the Auditor is required to furnish these books by a given time and that the assessment &c of all property must be made within a given period and in addition it is known that owing to the great amount of business done in the Auditors office, the items of Postage and stationary requires considerable outlay. Now these contingent expenses can not be met except the parties doing the service or furnishing the necessary articles are paid for the same in currency or its equivalent in State script at the market value and certainly the clerical force necessary are as much entitled to their pay in current funds for their services, as the merchant is for his goods, or the farmer for his produce. The clerk who has qualified himself as such has his whole stock in trade invested in that business. The usual salary of the chief clerk is $150. per month if paid that in State script at the now current rate, he will have received $97.50. to $ 40 dollars per month in Little Rock this would just about pay for the board and lodging of a person and when applied to a clerk who has a family, he could not make his bread and would have to betake himself to other fields of labor. These contingencies could not be met except by paying three or four times as much in State scrip as in United States currency, nor could competent clerks be obtained without a reasonable currency consideration or its equivalent. After much hesitation on the part of the Auditor he conferred with the Attorney General the law Officer of the State and with the Heads of the other departments of the State and it was deemed best although working a great hardship for the State to incur a heavier liability than was desired rather than refuse and fail to carry out her positive laws and knowing that the time was short until the people would again be represented here and that the last Legislature was forced to defray certain contingent expenses by paying in State scrip at its ordinary market value, as also each of the Legislatures for several years past when the State paper was at a discount paid the contingent expenses of the same in scrip at Currency prices, the Legislature of 1846 & 1867 paid the Governor his salary and the members their per diem and mileage at the gold rate these references are not made in justification, but to show that under the circumstances the Course taken was unavoidable, and he claims that of the two evils that in the end it would be better for the State Government to be now at the extra expense mentioned for a short record that shall the votuels of the Government

should be entirely stopped. The warrants on account of the clerical force for the several departments have been issued in most cases under the general appropriation act of 1893 and are paid on the certificate of the officer in charge of the respective departments, as also the contingent expenses of the several departments are paid in like manner on the certificate of the Officer in charge. Under authority of law for each of said departments, for which issue of warrants for salary of clerks the auditor has the written opinion of the Attorney General opinion that the Auditor is fully authorized to issue this warrant for the pay of clerks salaries of the said several departments of state under said appropriation and in this as in the case of the issue of warrants or scrip with the discretion added the Auditor had conference and sanction of all the departments with whom he conferred and it was determined that under the exigencies of the times that the above decision with the Attorney General thereon was sufficient.

Now in conclusion the Auditor submits and adopts that there is no special law for issuing three & four dollars in state scrip for one dollar in currency except the law of necessity and imperative necessity, and he makes the statement that of the state scrip or scrip is worth only 25 cents on the dollar and it is necessary to have that dollar in currency to meet contingent expenses then the four dollars in scrip must be paid out. This idea it occurs to me will apply to the ordinary every day business transactions of life. The paper of the state be it scrip or bonds or the paper of a corporation or an individual is worth only what it will bring in the market. Having as I conceive fully answered the points raised by said resolution I respectfully submit that in the official conduct of the Auditor in reference to these matters that he as well as the heads of the other departments, have done in this the very best that could be done under the ordinary times and circumstances.

Here follows the report of C. H. Smith Commissioner of State lands and Immigration.

Office Commissioner, Immigration & State Lands
Little Rock, July 29th. 1874.

Hon Grandison D. Royston
President Constitutional Convention
Dear Sir =

In obedience to a resolution passed by your honorable body on Friday last in which heads of state departments are requested to report under what act of the General Assembly if any, and if none under what other authority the different departments of the State government of Arkansas are defraying their respective expenses in scrip, if any

than fear value," I have the honor to report as follows=

I do not know of any specific law on the subject. On taking possession of the State Land Office ten months since I found it in such condition that it was absolutely necessary to employ a force at whatever cost to clean up the office and do the work indicated in my communication of the 2nd inst. The work done has been invaluable to the State and to individuals. If delayed it would have entailed much more confusion and expense than it has cost by prompt action. In order to do this I had to employ a clerical force to clean up and repair the office, buy stationary and postage — for all which currency had to be paid. I found that it had been a custom for years in the different departments to discount scrip for this purpose and while I never approved of such a course, the question stared me in the face on taking possession of the office that I must either follow the precedents set by my predecessors or close the office entirely. I chose the former course knowing that the Convention would be in session in a short time and thinking that it would bring order out of our chaotic financial affairs. The public had a right to demand that the office be kept open. If I had not done so I would have been censured by the Press and rendered myself liable to punishment for a non performance of my duties.

The members of the Convention are as familiar with the causes which created this necessity as I am. Through a prodigate administration of affairs during the past six years, we found a state which at the commencement of that period had about $100,000 in currency in her treasury and owed comparatively nothing now in a bankrupt condition. The wheels of Government must be kept in motion by some means until a new order of things is brought about. Trusting the Convention will be able to solve our financial troubles with satisfaction to the people and with justice to all.

I have the honor to be, etc.,

O. A. Smithee

Comr Immigration and State Lands.

The Rev. T. J. O. Gorkin State Supt of Public Instruction drew which read as follows, to-wit-

Office of Superintendent of Public Instruction
State of Arkansas. Little Rock
July 25th, 1874.

H. B. Pierce Esq.
Asst Secretary,
Dear Sir =

In response to yours of July 25th 1874 enclosing a resolution of the Constitutional Convention, I have the honor to state that the appropriation

act of the Legislature of 1873 there are two appropriations for this department, viz: One for rent of Office for Attorney General and superintendent of Public Instruction of one thousand dollars in State scrip, per annum" and the other for "Clerk hire and contingent expenses", of the department

The only law that I am aware of in reference to issuing this scrip at any other than its par value is the necessity of the case the law imposing certain duties upon officers and the State furnishing no other means than State scrip for performing those duties, so far as I am informed, the various departments of the Government have had no other means of defraying their expenses than State scrip for several years.

Very Respectfully
C. C. Corbin
Supt Public Instruction.

The report of Hon P. M. Johnson was then read as follows viz;

Little Rock
July 25th 1874.

Hon. Frandreson Royston.
President of Constitutional Convention.
Sir,

In response to the Resolution by the Convention, adopted Saturday, directing heads of departments to state by what authority they defrayed the expenses of their respective offices in State scrip at any other than par, I have the honor to reply, that in this I have been unable to obtain competent assistants who were able to work, for a salary in scrip no greater than that received by others of a grade in currency

The only Authority I rely upon that I can plead is the necessity of the case. (As to this date I have not gone outside of the office appropriation.

Very Respectfully
P. M. Johnson
Secretary of State

Mr. Killgore Chairman of the Committee charged with the investigation of the Lincoln County contested election case made the following report:

Mr President and Delegates of the Convention.

Your special committee to whom was referred the petition of C. C. Flowers asking to be permitted to contest the seat of E. G. Flannery the sitting Delegate from Lincoln County in this Convention beg leave

to submit the following report.

The petition charged that intimidation was practised at Kimbro precinct in said County which debared many persons from voting and that at Silver Lake precinct the ballot box was opened and the vote counted at 12 o'clock noon of the day of the election, and prayed that the returns from said precincts be thrown out which would leave a majority for Thompson. Whereupon it prayed that he be admitted to the seat.

The response of the sitting delegate R. G. Pumbrey denied the allegations and set forth that fraud and intimidation were practiced at Auburn precinct at said election in said County in the interest of Contestant. That the polls at Bill creek precinct were closed at 4 o'clock P.M. contrary to law by which a majority of the voters of said precinct were prevented from voting and claiming that the returns from said precinct should be thrown out he also charged fraud and irregularities in several other precincts which gave majorities for contestant but for which no proof was offered. The correction of which the sitting member claimed would make his legitimate majority over three hundred votes.

The contestant offered no proof in support of the allegation regarding Silver Lake precinct and rested his case upon the testimony of one witness as to the charge of intimidation at Kimbrough precinct together with the Judges and Clerk of election of said precinct and written statements, some sworn and some unsworn of divers persons. Your committee were of opinion that they could not admit any ex parte statements either sworn or unsworn and therefore gave them no consideration although if we had they failed to be sufficiently specific to have had any weight beyond a single vote.

The only testimony therefore before the Committee was the deposition of Clay Rice. He testified to the presence of fifty four armed men at Kimbrough precinct and to some threats, but no violence. It is not shown nor even alleged that it had any material influence upon the result of the election, or that it prevented a fair and pretty full expression of the township, the vote for delegate being larger than the vote at any previous election at that precinct and preceding the previous special registration when all were allowed, the privilege of registering by thirty nine votes.

The sitting Delegate proved that the polls were closed at Bill creek precinct at 4 o'clock P.M. and that the vote was but little if any more than half of the vote of the township. But as the committee are of the opinion that the charge of intimidation against Kimbrough precinct is not sustained by the evidence they do not feel called upon to pass upon any thing else and ask to be discharged. We offer the following resolution -

Resolved. That R. G. Pumbrey the sitting Delegate from

Lincoln County was duly elected and is entitled to his seat in this Convention.

D. L. Kellgore Chairman Committee
P. D. Sorrels
W. C. Kelley
D Reinhardt.
R. Polk.

Upon motion of Mr Johnson, of Calhoun the report of the Committee was received and laid upon the table until to-morrow.

Mr. Walker, of Washington, Chairman of the Special Committee to investigate the conduct of the Senate investigating Committee made the following report, viz:

To the President and Delegates of the Constitutional convention of the State of Arkansas.

The Special Committee appointed under a Resolution adopted by the Convention of Thursday July 18th 1874, to enquire into the division and dissensions in the State Senate Committee on Auditors and Treasurers books and to report what action if any is necessary on the part of this Convention in reference to this matter" beg leave to make the following report, to-wit:

That upon the reference of said resolution, they have examined whom Senators, Baldwin Eppes and Hanks Comprising said Senate Committee; Senators Baldwin and Jones as to the cause of division, submitted the following extracts from Journal of proceedings of said Senate Committee to wit:

Little Rock Ark
Thursday, June 25th 1874

Committee met at 10 o'clock a.m. pursuant to adjournment All the members present.

Senator Abrams offered the following resolution —
Resolved, That the Chairman be authorized to employ the necessary clerical force to prosecute the business of the committee and supervise the books.
Provided:— that his acts shall be subject to the approval of the Committee at its meeting.
Pending which the Committee took a recess at 1.30 O'clock p.m.

After recess — On motion of Senator Jones the Committee adjourned until to-morrow at 10 o'clock a.m.

(signed) L. P. Baldwin.
Chairman.

(signed) James Jones.
Secretary.

Salt Lake City
Friday June 26th 1874.

Committee met pursuant to adjournment.
Present Senators Baldwin and Hawkes
Whereupon the Committee took a recess until 1 o'clock P.M.

After recess committee met
Present Senators Baldwin, Torrens and Hawkes.
The question being upon the resolution of Senator Torrens that the Chairman be authorized to employ the necessary clerical force to transact the business of the Committee the resolution was reconsidered adopted. Those voting in the affirmative were Senators Baldwin and Torrens.
In the negative Senator Hawkes.
"On motion of Senator Torrens it was
"Resolved - That the clerical force be limited to four men"
Senator Torrens offered the following:
Resolved - That the Chairman be directed to employ the most competent men for clerks and at the lowest possible rate consistent with the efficient discharge of their duties" which was adopted.
Senator Hawkes moved: "That he be authorized to employ a clerk to make out a monthly report from the Committee" which was rejected.
Senator Baldwin in explanation of his vote said: That he would vote to give the Senator the services of any or all of the clerks employed by the Committee to make out a monthly report whenever the Committee had occupied any facts to report thereon, but that he could not vote to transact any individual business of the Committee to employ a clerk."
Senator Torrens, said. "That until the Committee had made the investigation ordered by the resolution under which they were acting no report could be made, and therefore he would vote against the motion"
On motion of Senator Torrens the Committee adjourned until to-morrow morning at 10 o'clock.

(Signed) D. P. Baldwin
Chairman

(Signed) James Torrens
Secretary.

Senator Hawkes made an explanation substance as follows

That the extract from the Journal was correct so far as it went but that under existing circumstances the action of the Committee was premature: that he considered that if the work of investigation that had been entered upon was to be carried out to a successful termination it was necessary that the Committee should employ a clerk to keep a record of the proceedings and that he could not vote to transact the business of the Committee without such a record. That for this reason he had demanded either to the Senate

select one of the clerks or to superintend the work of those appointed by the Chairmans. The majority refusing permit him to do either he had employed a clerk and prosecuted the investigation as best he could when the books of the Auditor were not in the hands of the chairman.

Your committee further find that the chairman of said Senate Committee has employed four clerks: two at the rate of Four Hundred Dollars per month, each in State scrip, and two at the rate of Three Hundred Dollars per month each. Add to this the per diem of three Senators room, rent, stationary &c, and the investigation is costing the State something over Two Thousand Dollars per month.

The majority report that they have completed their investigation of the Treasurers books and have presented their report upon said books to your committee for their inspection, but as your committee are informed that the same report will be presented to this convention by the Treasurer, in pursuance of a resolution calling for the same, they have not deemed it necessary to procure a copy or report its details.

Said majority further state that they had not yet completed their investigation of the Auditor's books and could not say exactly how long it would take them to do so.

They have not exhibited any copies of vouchers upon which warrants were issued, which in the opinion of your committee are indispensable to the formation of a clear and accurate idea of what has been done with the public funds.

The minority presented "a full report of the footings of each account from the appropriations ledgers, on which warrants have been issued, from 1st Jany 1873 to 1st July 1874." (copy per marked A herewith,) amounting to $2.045,044.87 exclusive of appropriation of extra session of Genl Assembly of $200.000.

Said report shows amount of each appropriation and the amount unexpended or overdrawn.

In addition to the foregoing, said minority presented a written report with accompanying documents marked (A) (B. C. (D) (E) and (F) which report is as follows, to wit;

(A)

"To the Convention Committee to examine the Auditors and Treasurers Books, Accounts, etc,

"I would respectfully report, I have examined only a portion of the appropriations and believing excessive amounts have been drawn, I have itemized most of the accounts examined and copied the vouches, and number of warrants given by the auditor

"I call your attention to the three appropriations marked (A), for the purpose of paying the per diem of officers and members of the General Assembly, also the contingent expenses of the same amounting to $350 000."

"Quet, to Warrants 842-843-844-860-861-1289-1290 and 1363 showing that $50.702.10 was paid to one Autty for stationery for the use of the General Assembly 1873, besides warrant 717 for $1.000 and 913 for $600. drawn by the Secy of Senate, and Warrant 1709 for the sum of $2613.25 for stationery, stamps, wrappers. to be drawn by the Asst Secy of the Senate.

"Also C A J Chamberlain to drew $3846. upon warrant 1512 for stationery, making the stationery of that session cost about $58 655.25

"Secret: to printing charged to the General Assembly 1873 amounting to $107.797.20 according to following ye.

Warrant	742	Printing for	House.	February	$ 2.802.30
"	743	"	"	January	2.799.85
"	744	"	Senate.	February	2.869.50
"	745	"	"		14.076.15
"	746	"	Joint session		4.923.93
"	747	"	Senate — January		991.60
"	748	"	" — March		3.250.30
"	750	"	House	"	2.676.10
"	1163	"	Senate	"	17.109.25
"	1164	"	Joint session		2.470.16
"	1471	"	Judges. April		14.070.50
"	1473	"	Senate	"	1.762.50
"	1474	"	Joint session	1871	1.650.00
"	1706 to 1711				70.172.14
For printing Bills, Orders, etc					28.731.16
Warrants 1712 to 1716					8.893.90
					$ 107.797.20

"Your attention is called to the accounts of O.C. woodford Assistant Secretary of Senate, also to the Clerk of the House, Wm. Cooper, & J.B. Chapline member of the House. See the Voucher that Warrant 1476 was issued for.

"See Vouchers for Warrants 1322 and 1340 given Charles L. Berry member of the House.

"See Voucher for Warrants 942 and 1484 given Benton Turner of the House.

"Also J.R. Richards' Vouchers

B. "The next appropriation [B] amount to defray the expenses of publishing Journals of the Gen'l Assembly and for binding the same, a reasonable compensation. $43,675.00 has been drawn and the auditor says more to be added. See Vouchers added to this appropriation, particularly 2256 for $6130.00 and the appropriation drawn from.

"Also 2739-2740-2741 for printing not been executed amounting to $3.000." See also, Vouchers attached to this appropriation.

C. "An appropriation for State printing [C] not to exceed $60.000 per annum $36,681.02 have drawn. In that appropriation I call your attention to Vouchers 2241 and 2242 for publishing impeachment of John M Love, bill for the sum of $16 297.50 and not printed. Also 2334 and 2603.

D. An appropriation for procuring blank statements &c [D], Vouchers are attached for the Republican Printing Co, work and payment

E. "The appropriation to pay State Guards for service in Pope County, also itemized and therewith returned marked [E] for your inspection, showing who drew $30,924.98"

(Signed) Tho. McHenry."

By accompanying documents marked respectively [A] [B] [C] and [D], it will be seen that said authority has prepared accounts showing the number of warrants, to whom issued and the amounts and to each of these accounts, has appended a copy of the vouchers upon which the warrants were issued,

Documents (E) and (F) are incomplete inasmuch as the clerk of said minority has not yet copied the vouchers belonging to them.

By means of the said copies of vouchers your committee have been enabled to discover the following facts to which your attention is particularly invited.

In document (A) we find under three appropriations to defray expenses of General Assembly of 1873 amounting to $370.000. - that the Little Rock Publishing Company, Jno. McDaniels and Price and Mc Lure drew for printing the sum of $158.499.30.

That according to Vouchers 842-843-844-860-861-1289-1290-1323-717-913 1759 and 1515 there was expended for stationery, use of General Assembly 1873, the sum of $ 38.655.35.

Vouchers 104-128-913-1607-109-126-817-1281 and 1286 show that there was expended by Gen'l Assembly 1873 for postage, wrappers, and newspapers $20.029.06

Voucher 780 shows Charles W Tankersly charged for travelling 150 miles and return as mileage.

Voucher 780-1317-1612 show that he drew pay for services as Speaker of the House of Representatives from Jany 6th 1873 to 5th May 1873 at $10.00 per day. Voucher 1800 shows that he again drew for same services at same rate from 1st to 24th April 1873, being 24 days at $10.00 per day $240.00 ——

(B) Document (B) appropriation to defray expenses of publishing Journals of the General Assembly and for indexing the same, a sufficient amount to pay a reasonable compensation, Approved April 26, 1873.

Under this appropriation, Warrants for $43.675.00 and Auditor says more to be added

Voucher 2266 shows that Chas W. Tankersley drew for services and expenses incurred in traveling to Jefferson City Mo. and Washington City, D.C. in the examination of Territorial laws for the State of Arkansas, and transcript of same as per bill $6.120.00

Vouchers 2739-2740 & 2741 show that Little Rock Publishing Company drew for account of Five thousand copies of Senate journal, Session of 1873 the sum of $13.000.00

Your committee are informed that this work has never been done or if done, the five thousand copies have never been furnished the Secretary of State.

(C) Doc. (C)

Appropriation of a sufficient amount to pay for State printing not to exceed $60,000, per annum. Approved 26th April 1873.

Vouchers 2241 and 2242 show that warrants were issued to Republican Office for 500 copies Pamphlet with Index and cover, Impeachment trial - John McLure.

Paid for reporterial work	Approved James Page. Henry W. D. Warwick	$13824.00
500 Copies in cloth		1.800.00
		675.00
		$16.299.00

Your committee are informed that this work also has never been done. Your committee have necessarily conducted this investigation in a hurried manner. Many items showing equally grievious frauds and a reckless waste of the public funds have probably escaped their notice. Enough has been shown however, to indicate the propriety of further investigation, if it could be economically done, but in the opinion of your committee the benefits accruing therefrom to the state

would not justify the present expenditure,

They therefore recommend the adoption of the following resolution.

'Resolved, That said Senate committee be dismissed from the further prosecution of said investigation and that they be directed to turn over their reports &c. both of the majority and minority to the Secretary of State to await the further action of the next session of the General Assembly.

And inasmuch as Senator Hawks in employing an Extra clerk seems to have been prompted by a commendable desire to secure a full and thorough investigation and thereby to protect the interests of the State; Your committee further recommend that upon the presentation to the Auditor of a certified account by said Senator Hawks of the number of days actually occupied by his clerk in said investigation, that the auditor be authorized to issue his warrants for the same, at a rate per month not exceeding that of the other clerks of the committee.

All of which is respectfully submitted.

(signed) B F. Walker Chairman
A F. Kilgore
B. H. Crowley
J W. Sorrells
J a. Rees
J. F. Harrison.

Since the above report was signed, the Chairman of the Senate Committee handed in to your committee, "Tabular statement of the Auditors warrants on the State Treasurer, drawn from October 1st, 1872 to June 30th 1874 inclusive," which is herewith submitted.

B F. Walker. Chairman

J. A. Rees.
Secretary.

A

Amount appropriated to pay expenses of the General Assembly, viz: The sum of Ten thousand dollars for the contingent expenses of the General Assembly, repairs on the hall of the House of Representatives and Senate Chamber, and for the purchase of Stationery and fuel and stamps for the session which began January 6th 1873 $10.000.00

Approved 21st January 1873.

1873				
Jany 22	H H. Crick	Warrant	104	$1.000.00
" 23	J. A. Simons	"	107	125.00
" "	H H. Carter	"	109	2.000.00
" 25	Cook Gibbes & Co	"	116	260.00
" "	Jesse Kirby	"	117	50.00
" "	Louis Johnson	"	118	6.00
" 27	Simons & Co	"	121	694.54
" "	Henry H. Carter	"	126	4.110.00
" "	Simons & Co	"	127	129.11
" 28	H H. Crick	"	128	1.624.46
				$9.999.11

Amount appropriated by act, approved April 8th 1873 for the payment of the per diem and mileage of the Officers and Members of the General Assembly, and the contingent expenses thereof, convened at the Capitol of said State, January 6. 1873 $150.000.00

Amount appropriated by Act, Approved April 26, 1873 to pay mileage, per diem and contingent expenses of the General Assembly the sum of Two hundred and ten thousand Dollars, including deficits of last General Assembly $210.000.00

1873.				
April 8	W. H. Orrick	Warrant #	717	$ 1.000.00
" 10	J. A. Shrigley		719	168.00
" "	J. J. Page		720	108.00
" "	A. F. Page	—	721	90.00
" "	Neal Brown		722	156 00
" "	Tony Grisom		723	156.00
" "	R. J. Page		724	90.00
" "	W. H. Forbush		725	471.20
" "	J. B. Shappard		726	218.01
" "	J. S. Guest		727	35.00
" "	J. M. Vance		728	35.00
" "	W. N. Smith		729	374.00
" "	A. Shepherd		730	206.00
" "	A. J. Page		731	206.00
" "	J. J. White		732	102.00
" "	C. C. Reid Jr		733	80 00
" "	J. J. White		734	102.00
" "	J. H. Alexander		735	50.00
" "	A. M. Jones		736	68 00
" "	J. W. Anderson		737	250 00
" "	J. M. Anderson		738	200.00
" "	E. L. Pingell		739	16.66
" "	J. W. Anderson		740	250.00
" "	A. Colgrove		741	276.95
" "	Little Rock Pub Co		742	2.102.50
" "	"		743	2.299.85
" "	"		744	2.889.50
" "	"		745	14076.15
" "	"		746	4.923.93
" "	"		747	991.60
" "	"		748	3250.30
" "	"		750	2.676.10
" "	Tony Grisom		751	72.00
" "	Little Rock Pub Co		752	17.109.25
" "	Thos French		757	40.00
" "	A. French		758	40.00
" "	J. R. Willis		759	32.00
" "	Wm Freeman		760	36.00
" "	James Holmes		761	47.00
" "	A. Holland		762	47.00
" "	Wm Mason		763	56 00
" "	A. Holmes		764	52.00
" "	C. Mason		765	56.00

1873				
April 10.	G Hare.	Warrant	#766.	# 38.00
"	Wm Maynard		767	54.00
"	R Drake		768	33.00
"	J Gooch		769	32.00
"	J M Mitchell		770	35.00
"	R A Campbell		772	35.00
"	S J Mitchell		773	35.00
"	H Bizzell		774	32.00
"	Geo A Kingston		775	3,341.00
"	do		776.	614.00
"	William Willis		777.	32.00
"	J W Williams		778	168.00
"	A M Hawkins		779.	238.00
"	C H Cauthorley		780	1,030.00
"	A J Hawkins		781	168.00
"	A W Hawkins		782.	168 00
"	A J Hawkins		783	262.00
"	Y B Shapard		784	150.00
"	A Guest		785	78.00
"	Peter Conway		786	165.00
"	Allen Mitchell		787	446.00
"	do		788	10.00
"	Peter Mitchell		789	324.00
"	do		790	168.00
"	Rufus Lee		791	55.00
"	do		792	299.00
"	R Joiner		793	256.00
"	do		794	50 00
"	J M McGehee		795	550.00
"	D McC Thorton		796	419.89
"	J J Brown		797	156.00
"	A L Grattan		798.	138.00
"	J M. Gibson		799	55.00
"	D W Thorton		800	173.29
"	C C Francis		801	106.80
"	J D Malory		802	150.00
"	J Turnet		803	266.00
"	do		804	168.00
"	A Bryant		805	50.00
"	J Darby		806	78.00
"	J T Smith		807	168.00
"	W H Crick		808	128.00
"	R A Dawson		809	20.00
"	John Good		810	30.00
"	Allen Mitchell		811	500.00
"	H H. Crick		812	300.00
"	A Bryant		813	12.00
"	H R. Milley		814	558.00
"	J C Reid Jr		815	120.00
"	J M Murphy		816	264.00
"	H M Cooper		816½	680.00
"	do		817	2,982.40
"	W R Coit		818	622.00
"	W A Coit		819	584.00
"	J M Clayton		820	610.00

1873.					
April 10.	I B. Chapline	Warrant	#821.		96.00
"	Geo M. Chapline		822		114.00
"	J B. Chapline		823		78.00
"	S D Belding		824		294.00
"	G W. Smith		825		420.00
"	F Blackwell		826		70.00
"	A J. Smith		827		45.00
"	S D. Belding		828		672.00
"	L D. Belding		829		528.00
"	E M Main		830		150.00
"	George Powell		831		30.00
"	Thomas Owen		832		510.00
"	D B Abrahams		833		368.00
"	Do		834		432.00
"	J B Chapline		835		168.00
"	J E Jocelyn		836		686.00
"	Frank Gallagher		837		620.00
"	Chas O Perry		838		264.00
"	Do		839		186 00
"	Do		840		168.00
"	J B Adams		841		480.00
"	J W McDaniels		842		7.962.20
"	Do		843		6,084 00
"	Do		844		5,120.50
"	E M Main		845		472.00
"	R A. Lawson		846		160.00
"	A L Livingston		847		282.00
"	C G. Latta		848		114.00
"	Do		849		294.00
"	Do		850		830.00
"	L J. Hinds		851		284 00
"	Do		852		156.00
"	C Thorpe		853		108.00
"	J H Johnson		854		690.00
"	M B Hawkins		855		168.00
"	Asa Hodges		856		398.00
"	Jas Collins		857		100.00
"	C H. McVeigh		858		306 00
"	J C W McLord		859		852.00
"	J W W Daniels		860		5,490.10
"	Do		861		7,241.51
"	H W. Cooper		862		168.00
"	Do		863		180.00
"	J M Merritt		864		624.00
"	R J Barnes		865		582.00
"	John Brooker		866		640.00
"	R H McChesney		868		426.00
"	J M Canham		869		180 00
"	J H Anderson		870		300.00
"	A V Christer		871		60.00
"	Do		872		128.00
"	C J Burke		873		6.00
"	W Carroll		874		3.00
"	Geo Lea		875		5.00
"	A J. Smith		876		44.20.

1873					
April	10.	M Thrasher.	Warrant	877.	$ 12.00
	"	A Calgrove		878.	150.81
	"	S A Strong		879.	354.00
	11.	James Abrams		880	662.00
	"	do		881	18.00
	"	Oliver Gordon		882	30.00
	"	O C Woodford		883	672.00
	"	do		884	80.00
	"	F L Martin		885	40.00
	"	O C Spears		886	510.00
	"	J W Barber		887	290.00
	"	H K Robinson		888	186.00
	"	H Robertson		889	186.00
	"	do		890	300.00
	"	do		891	78.00
	"	J W Carhart		892	330 00
	"	E O Smith		893	185.00
	"	Albert Jones		894	24.00
	"	J E Elliott		895	30.00
	"	A M Hawkins		896	186.00
	"	J J Elliott		897	594.00
	"	D D Leach		898	78.00
	"	H O Davidson		899	568.00
	"	H H Dagger		900	815.27
	"	O C Dooley		901	660.00
	"	H L Copeland		902	62.00
	"	do		903	510.00
	"	L A Carroll		904	492.00
	"	H Hawkins		905	227.20
	"	M M. Erwin		906	272.00
	"	W G Matheny		907	206.00
	"	Caleb Davis		908	294.00
	"	L F. Corbell		909	48.00
	"	Geo Washington		910	177.00
	"	M K Kent		911	580.00
	"	Geo Washington		912	78.00
	"	W A Brick		913	500.00
	"	H Wilkins		914	510.00
	"	W G. Gratton		915	180.00
	"	J F Cunningham		916	314.00
	"	A Lea		917	212.00
	"	J Sample		918	162.00
	"	Geo Arkingston		919	196 00
	"	J B Chapline		920	324.00
	"	C Brown		921	90.00
	"	J G Munn		922	50.00
	"	D Bridenthal		923	342.00
	"	Wm Hill		924	395.00
	"	W M McVeigh		925	350.00
	"	J J. Ratcliffe		926	390.00
	"	J Manko		927	310.00
	"	J M Vance		928	156.00
	"	J G Munn		929	180.00
	"	J F Vance		930	198.00
	"	J A Davis		931	120.00

1873.		Warrant #	$
April 11.	J L. Strong	932	272 00
"	F Blackwell	933	212 50
"	J M Foster	934	168 00
"	F Blackwell	935	110 00
"	J a Davis	936	108 00
"	J Nance	937	54 00
"	L Brugman	938	60 00
"	C W Taylor	939	372 00
"	R J & W James	940	168 00
"	J N Barber	941	264 00
"	B Turner	942	130 00
"	H C Benton	943	486 00
"	H N Hanley	944	486 00
"	H H. Cate	945	318 00
"	Do	946	312 00
"	William Payne	947	468 00
"	J H Fox	948	324 00
"	Do	949	146 00
"	H Phillips	950	261 00
"	C E Francis	951	81 50
"	J D Butler	952	138 00
"	Do	953	246 00
"	A A Tufts	954	102 00
"	Do	954½	96 00
"	H Ayers	955	75 00
"	H H Orrick	956	376 00
"	Do	957	240 00
"	S K Holland	958	472 40
"	H A Christy	959	12 00
"	J J White	960	448 40
"	J H. Williams	961	186 00
"	A. N. Rice	962	45 00
"	F Lea	963	27 00
12.	H Hazle	964	39 00
"	E D Lett	965	39 00
"	R Samuels	966	78 00
"	M D Kent	967	18 00
"	G. K Martin	968	450 00
"	M Gunn	969	36 50
"	H Kirchoff	970	53 50
"	N Hawthorn	971	34 00
"	A H Young	972	36 50
"	C B Kent	973	60 00
"	A Hunter	974	70 00
"	John Foster	975	46 00
"	G Clonings	976	49 50
"	H J Brown	977	42 00
"	R M. Murry	978	41 00
"	A Bringle	979	34 00
"	E. Schimmel	980	40 60
"	W Inman	981	34 00
"	H A Floyd	982	34 00
"	H D Herrick	983	456 00
"	H. H. Frisbee	984	18 00
"	J E Brown	985	168 00

1878					
April 12	G A Livingston	Warrant	986	$ 168	00
"	W K Shubush		987	36	00
"	A Johnson		988	120	00
"	do		989	156	00
"	do		990	102	00
"	do		991	150	40
"	C J Brown		992	364	00
"	John Monks		996	70	00
"	C E Francis		994	319	00
"	A Furbush		995	72	00
"	T D Page		996	78	00
"	A Williams		997	40	00
"	H K Furbush		998	24	00
"	J H. Fox		999	186	00
"	E D Tibbald		1000	8	00
"	W Moore		1001	78	00
"	O Rose		1002	78	00
"	C Bradshaw		1003	78	00
"	W Mitchell		1004	78	00
"	E Smith		1005	78	00
"	F Poindexter		1006	78	00
"	J Tyns		1007	78	00
"	J Jaetson		1008	78	00
"	J G Anderson		1009	36	00
"	C Royston		1010	78	00
"	J H Vance		1011	78	00
"	A Harvey		1012	78	00
"	J Booker		1013	40	00
"	W H McWhorter		1014	78	00
"	R J M Jones		1015	560	00
"	J G Munn		1016	330	00
"	John Ellis		1017	420	00
"	J A Clarke		1018	610	00
"	J E Elliott		1019	480	00
"	J W Lynn		1020	186	00
"	J Ingraham		1021	6	00
"	W A Beazley		1022	624	00
"	W H Robinson		1023	78	00
"	L B Mitchell		1024	260	80
"	J A Donnell		1025	264	00
"	A J Thomas		1026	114	00
"	A G Gratton		1027	282	00
"	L E Cleveland		1028	18	00
150	F J Buck		1070	8	00
25	White River Journal		1108	3060	
"	D R Belden		1109	96	00
"	L S Belden		1110	104	00
"	R J Curry		1111	54	00
"	R Joyner		1112	108	00
"	A McCutchins		1113	150	00
"	D B Abraham		1114	80	00
"	W Ayers		1115	265	00
"	R J Page		1116	84	00
"	W A Marshall		1117	40	00
"	E J Beardsley		1118	108	00

1873.				
April 20.	C B Fitzpatrick	Warrant	# 1119	$ 80 00
"	Thos Lafferty		1120	53 38
"	do		1121	82 41
"	A Caraloff		1122	1,046 40
"	Wm H White		1123	27 10
"	F W Lynn		1124	358 00
"	E A Beardsley		1125	592 00
"	J. L. Adams		1126	320 00
"	J Samples		1127	84 00
"	A T Livingston		1128	138 00
"	Gazette Publishing Co		1129	1019 20
"	"		1130	565 00
"	"		7131	665 90
"	"		1132	1062 80
"	N O Phillips		1133	39 00
"	N Brown		1134	120 00
"	N Baldwin		1135	2000
"	J J. Van Deusand		1136	576 00
"	J L Berry		1137	646 00
"	J N. Filley		1138	554 00
"	B Turner		1139	96 00
"	C. Collins		1140	255 00
"	N. Brown		1141	78.00
"	J Donoby		1142	171 00
"	D Chandler		1143	60 00
"	C C Woodford		1144	752 00
"	A J Smith		1145	90 00
"	J G Emerson		1146	648 00
"	J C Walker		1147	564 00
"	W. A Harley		1148	614 00
"	J A Shrigley		1149	822 00
"	Wm G Gray		1150	270 00
"	Jas Stewart		1151	270 00
"	C C Reid Jr		1152	248 00
"	J A Hanks		1153	284 00
"	W T Taylor		1154	124 00
"	G W Mallory		1155	132 00
"	W. W. Wiggs		1156	72 00
"	J R Richards		1157	60 00
"	J A Page		1158	68 00
"	R J. Page		1159	40 00
"	J W Anderson		1160	60 00
"	J W anderson		1161	40 00
"	J W anderson		1162	279 00
"	J T Conway		1163	39 00
"	Little Rock Pack Co		1164	2470 16
"	R B White		1165	600 00
"	L C Corbell		1166	80 00
"	J E Jocelyn		1167	60 00
"	Smith & Bro		1168	420 00
"	J S Stephens		1169	510 00
"	M L Matheny		1170	354 00
"	J M Austin		1171	290 00
"	W A Reid		1172	681 00
26	J T Preston		1173	330 00

1873			#	$	
April 26	D H Crowley	Warrant	1174	346 00	
"	H Marshall		1175	102 00	
"	C C Reid Jr		1176	40 00	
"	L S Cobell		1177	120 00	
"	J H Grassett		1178	566 00	
"	J Mark		1179	80 00	
"	C Davis		1180	186 00	
"	J W Thompson		1181	346 00	
"	J C Rollins		1182	570 00	
"	W H Thomason		1183	306 00	
"	M E Hawkins		1184	186 00	
"	J D Page		1185	324 00	
"	T A Hanks		1186	894 00	
"	T B Ford		1187	324 00	
"	M Alexander		1188	177 00	
"	E Bancroft		1189	40 00	
"	J D Kines		1190	174 00	
"	R J Page		1191	66 00	
"	J W Rickey		1192	80 00	
"	J W Wallace	X	1193	509 5	1193 X
"	C C White		1194	646 00	
"	J D White		1195	2700 0	
"	J J Chaffin		1196	46 00	
"	J O Eagle		1197	562 00	
"	J S Martin		1198	600 00	
"	L S Gilbreath		1199	634 00	
"	W A Beasley		1200	102 00	
"	W A Pitt		1201	96 00	
"	L B Mitchell		1202	366 00	
"	H H Robinson		1203	290 00	
"	A J Livingston		1204	180 00	
"	W Robertson		1205	60 00	
"	J J Cunningham		1206	366 00	
"	C Eison		1207	46 00	
"	R A Knussen		1208	150 00	
"	J R Dumpster		1209	60 00	
"	J R Richards		1210	108 00	
X	J J Dumpster		1211	96 00	
"	J L Hill		1212	51 00	
"	W P May		1213	34 00	
"	E N Malin		1214	200 00	
"	Do		1215	208 00	
"	W Taylor		1216	210 00	
"	C C Reid Jr		1217	48 00	
"	C Bryant		1218	110 00	
"	Do		1219	246 00	
"	do		1220	130 00	
"	J K Norwood		1221	102 00	
"	Do		1222	202 00	
"	Do		1220	102 00	
"	Do		1224	174 00	
"	Cumberland		1225	108 00	
"	W Cleveland		1226	78 00	
"	A J Wheat		1227	600 00	
"	J K Norwood		1228	1200	

	April	29	D. Raleigh	Warrant	1229	103
	"	"	Geo. S. Elwell	"	1230	30
	"	"	A Mitchell	"	1231	32
	"	"	L D Butler	"	1232	60
	"	"	Same	"	1233	60
	"	"	D Mitchell	"	1234	84
	"	"	A Henderson	"	1235	186
	"	"	M D. Kent	"	1236	150
	"	"	J. Hickey	"	1237	35
	"	"	J Elliott	"	1238	60
	"	"	Same	"	1239	90
	"	"	Wm D Davidson	"	1240	64
	"	"	Same	"	1241	248
	"	"	Same	"	1242	90
	"	"	P Mc. Guest-	"	1243	78
	"	"	Folio 306. 184. 935. 67.			184.917.85
	"	"	P M Guest-	Warrant	1244	240
	"	"	Same	"	1245	296.40
	"	"	amount carried forward			185.454.25
	"	"	B. B. Bowers	Warrant	1246	78
	"	"	Same	"	1247	246
	"	"	Same	"	1248	286
	"	"	J Sumpter	"	1249	162
	"	"	Same	"	1250	264
	"	"	B. Royston	"	1251	35
	"	"	Same Same	"	1252	35
	"	"	Jack Jackson	"	1253	35
	"	"	R Samuels	"	1254	35
	"	"	L L Heaney	"	1255	35
	"	"	E Smith	"	1256	35
	"	"	W. Mitchell	"	1257	35
	"	"	P Ross	"	1258	35
	"	"	O Bradshaw	"	1259	35
	"	"	H. Moore	"	1260	35
	"	"	H Jones	"	1261	54
	"	"	Thomas Gray	"	1262	70
	"	"	W. H. McWhorter	"	1263	35
	"	"	J. A. Cawart-	"	1264	66
	"	"	J Lawrence	"	1265	48
	"	"	J A Calvert-	"	1266	60
	"	"	J C Cleaveland	"	1267	42
	"	"	J Allen	"	1268	158
	"	"	C. M. Hickey	"	1269	31
	"	"	James Torrens	"	1270	18
	"	"	A Mitchell	"	1271	464
	"	"	Geo. S. Elwell.	"	1272	70
			Amount brought forward			187,955.22

Amount brought forward		Warrant	187955	22.	April 26th	C Fay	1320	195	00
April 26th	George Sewell	1273	60	00	" "	W Johnson	1321	201	00
" "	W H. Purbush	1274	120	00	" "	Chas E Berry	1322	3840	00
" "	J. W. Williams	1275	156	00	" "	P. W. McDaniels	1323	848	80
" "	C. C. Smith	1276	170	00	" "	Amt Carried forward		$229082	77.
" "	R. J. Page.	1277	42	00	" "				
" "	H. M. Cooper	1278	190	00	" "	H A Mellie	1324	150	00
" "	Same	1279	240	00	" "	J D Page	1325	150	00
" "	G. H Gibbs.	1280	2531	13	" "	W S Warrick	1326	204	00
" "	Folio 307. $196.482.17		$	191464	35	" "	G H W. Stuart	1327	754	00
						" "	L. S. Corbell	1328	60	00
						" "	G G Lake	1329	132	00
April 26	H. M. Cooper	1281	1290	72	" "	L H Johnson	1330	150	00
" "	C. H. Taylor	1282	125	00	" "	R B White	1331	60	00
" "	G. D. Butler	1283.	156	00	" "	L G. Munn (150.35)	1332	168	00
" "	A. J. Wheat	1284	100	00	" "	C E White (168.82)	1333	150	00
" "	H. M. Cooper	1285	200	00	" "	W L Copeland	1334	150	00
" "	Same	1286	6500	00	" "	J Wright	1335	66	00
" "	D. McWherter	1287	114	00	" "	Asa Hodges	1336	$18	00
" "	Simmons & Co	1288	44	50	" "	J Wright	1337	848	00
" "	J. M McDaniels	1289	$980	80	" "	J. P. Eagle	1338	108	00
" "	Same.	1290	6974	50	" "	J. W. Vance	1339	30	00
" "	I. N Barber	1291	150	00	" "	Chas E Berry	1340	910	00
" "	P. Mitchell	1292	84	00	" "	W G. Mathews	1341	150	00
" "	Ford Harris	1293	40	00	" "	Rufus Lea	1342	150	00
" "	T. P. Jones	1294	276	00	" "	E Cleaveland	1343	48	00
" "	D. Hunt.	1295	38	00	" "	L S Corbell	1344	90	00
" "	John Stewart	1296	38	00	" "	J. E Cleaveland	1345	834	00
" "	D Hunt.	1297	78	00	" "	J E Evelyn	1346	90	00
Amount Carried forward			$	213653	97	" "	J H. Lynn	1347	150	00
						" "	W Roberson	1348	90	00
						" "	D P Kyle	13:	168	00
April 26th	J. Stewart	1298		78	00	Amount Carried forward		$	234450	77
" "	A Shepherson	1299		168	00					
" "	R. W. McChesney	1300		144	00	April 26th	John Marks	1350	60	00
" "	George Sewell	1301		60	00	" "	J. C. Rawlins	1351	90	00
" "	S. W. Mallory	1302		132	00	" "	Ford Harris	1352	660	00
" "	G A Calvert	1303		108	00	" "	J M McMurphy	1353	414	00
" "	L. S. Corbell	1304		208	00	" "	Folio 309. $255.642.54			256674	77.
" "	W A Marshall	1305		168	00	" "	W R Early	1354		78	00
" "	J Grisom	1306		96	00	" "	W A Marshall	1355		150	00
" "	A D Thomas	1307		180	00	" "	H. H. Robinson	1356		150	00
" "	Same	1308		286	00	" "	E H Spears	1357		150	00
" "	R Joyner	1309		326	00		Same	1358		60	00
" "	J A Dare	1310		168	00	" "	J H. Stephenson	1359		150	00
" "	Geo E Shaffer	1311		252	00	" "	J J Cunningham	1360		48	00
" "	B F Acker	1312		724	00	" "	J H Berry	1361		114	00
" "	A. P Davidson	1313		1400	00	" "	J. A Stephenson	1362		50	00
" "	H Phillips	1314		30	00	" "	Jos Wright	1365		826	00
" "	J. B. Chapline	1315		168	00	" "	W H Crowley	1366½		102	00
" "	J Sampkles	1316		84	00	" "	Wm Mersehy	1364		304	00
" "	Folio 308. $ 218.506.79.			218488	97.	" "	J. N. Williams	1365		258	40
" "	C W Tankersly	1317		100	00	" "	C J White	1366		60	00
" "	H Wilson	1318		200	00	" "	L C White	1367		120	00
" "	J Green	1319		210	00	" "	Same Same	1368		550	00

April 26th		D. P. Belden	1369	60	00
"	"	L. D. Belden	1370	80	00
"	"	I. N. McGeehe	1371	150	00
"	"	J. Danby	1372	75	00
"	"	N. Hawkins	1373	150	00
"	"	Geo Washington	1374	75	00
"	"	Amount Carried forward		239,115	1st
April 26th		C. Davis Warrant	1375	150	00
"	"	N. Alexander "	1376	75	00
"	"	W. M. Dugger "	1377	18	76
"	"	Same "	1378	90	00
"	"	L. C. Calloway "	1379	204	00
"	"	W. B. Coil "	1380	138	00
"	"	C. A. Eakin "	1381	38	00
"	"	J. C. Thompson "	1382	108	00
"	"	L. D. Gilbreath "	1383	90	00
"	"	W. H. C. Read "	1384	108	00
"	"	L. M. Foster "	1385	246	00
"	"	L. E. Berry "	1386	150	00
"	"	O. W. Gossett "	1387	108	00
"	"	C. I. Preston "	1388	150	00
"	"	D. Chandler "	1389	108	00
"	"	Polis 310.82 40,914.76		240,894	93
"	"	D. F. Hynes Warrant	1390	84	00
"	"	J. B. Simpkin "	1391	54	00
"	"	J. C. Walker "	1392	162	00
"	"	W. A. Marshall "	1393	84	00
"	"	J. A. Shrigley "	1394	246	00
"	"	C. C. Woodford "	1395	492	00
"	"	W. Ayres "	1396	410	00
"	"	C. C. Dooley "	1397	90	00
"	"	W. A. Co. P. "	1398	60	00
"	"	J. Ratcliffe "	1399	210	00
	"	Amount Carried forward.		242,786	93
April 26th		J. J. Ratcliffe "	1400	23	74
"	"	W. S. Chapman "	1401	750	00
"	"	C. Shroyer "	1402	286	00
"	"	J. J. Ratcliffe "	1403	120	00
"	"	J. H. Van DeSande "	1404	426	00
"	"	J. G. Frierson "	1405	60	00
"	"	Same "	1406	28	00
"	"	W. H. Farbush "	1407	30	00
"	"	H. N. McVeigh "	1408	108	00
"	"	J. Thompson "	1409	6	00
"	"	B. B. Beavers "	1410	60	00
"	"	Same "	1411	18	00
"	"	A. N. Love "	1412	120	00
"	"	H. Williams "	1413	110	00
"	"	Same "	1414	230	00
"	"	W. C. Hayduine "	1418	108	00
"	"	J. Keck "	1416	160	60
"	"	S. Williams "	1417	48	00
"	"	C. J. White "	1418	228	00
"	"	H. C. Williams "	1419	108	00

Aprl 26th	C C Smith	1425	6	00
" "	E A Lee	1426	45	00
" "	Same	1427	120	00
" "	J D Adams	1428	58	52
" "	V V Smith	1429	180	00
" "	Same	1430	360	00
" "	Same	1431	50	26
	Folio 311. 246.66287.		246618	05
April 26th	S A Duke Warrant	1432	90	00
" "	S A Duke "	1433	47	00
" "	O W Ellis "	1434	14	94
" "	G Thornburg "	1435	836	00
" "	C B Preston "	1436	78	00
" "	C C Crenshaw "	1437	108	00
" "	R A Dawson "	1438	364	00
" "	R A Dawson "	1439	180	00
" "	C H Howard "	1440	60	00
" "	C H Howard "	1441	27	22
" "	D Bridenthal "	1442	414	00
" "	John Ellis "	1443	90	00
" "	C S & W Jones "	1444	120	00
" "	C J Preston "	1445	132	00
" "	C J Preston "	1446	90	00
" "	E Hicks "	1447	230	00
" "	James Lovans "	1448	60	00
" "	James Lovans	1449	15	12
" "	L M Clayton	1450	90	00
" "	C C Clayton "	1451	40	80
" "	L G Eakin "	1452	90	00
" "	L O Barnes "	1453	380	00
" "	L G & Van De Land	1454	80	00
" "	O W Fox "	1455	96	00
" "	O K Walton "	1456	50	00
" "	C M Taylor "	1457	256	00
	Amount Carried forward		250.152.	16.
April 26th	G M Holland "	1458	340	40
" "	G M Holland "	1459	9	60
" "	John Brooker "	1460	90	60
" "	John Brooker "	1461	26	60
" "	John Brooker "	1462	180	00
" "	A Caraloff "	1463	60	00
" "	A Caraloff "	1464	56	52
" "	L M Strong "	1465	150	00
" "	J Grissom "	1466	449	20
" "	C C Woodford "	1467	120	00
" "	C E Elliott "	1468	88	00
" "	Folio 312. & 257.642.27		251.672	45
" "	L C Rawlins. Warrant	1469	300	00
" "	L B. Chaplin "	1470	2180	00
" "	L R Publishing Co "	1471	14,070	50
" "	C M Elliott	1472	12	00
" "	L R Publishing Co	1473	1762	50
" "	L R. Papeo Lumber Co	1474	1550	00
" "	A Shepherson	1475	150	00

April 26th	J Harris	Warrant	1476	660	00
" "	R M McChesney	"	1477	90	00
" "	R M McChesney	"	1478	41	48
" "	J L Martin	"	1479	60	00
" "	J L Martin	"	1480	21	50
" "	J L Martin	"	1481	30	00
" "	J L Martin	"	1482	41	50
" "	B Turner	"	1483	150	00
	Amount carried forward			272791	93
April 26th	B. Turner	Warrant	1484	3841	00
" "	J M Turner	"	1485	100	00
" "	S Harley	"	1486	100	00
" "	J S Smith	"	1487	100	00
" "	R M. Cole	"	1488	50	00
" "	R Key	"	1489	50	00
" "	J Tidwell	"	1490	40	00
" "	J. W. Burnett	"	1491	60	00
" "	J Cameron	"	1492	25	00
" "	J R Belden	"	1493	26	46
" "	J R Page	"	1494	42	00
" "	D. O. Hyle	"	1495	884	00
" "	A Johnston	"	1496	144	00
" "	D B Abrahams	"	1497	330	00
" "	O. S. Hawkins	"	1498	150	00
" "	J. A. Davis	"	1499	150	00
" "	Bohlen House & Co	"	1500	85	00
" "	J. J. Elliott	"	1501	116	00
" "	Same	"	1502	27	12
" "	J Smith	"	1503	50	00
" "	J Dobbs	"	1504	30	00
	Polis 313. $279.212.33	"		$279.192	57
April 26th	E Riley	Warrant	1505	50	00
" "	S Fisher	"	1506	65	00
" "	G H Reeves	"	1507	35	00
" "	G H Britan	"	1508	30	00
	Amount carried forward	"		279.372	57
April 26th	J L Martin	Warrant	1509	4	00
" "	H L Baker	"	1510	110	00
" "	H Cross	"	1511	55	00
" "	J Hazen	"	1512	40	00
" "	J Webb	"	1513	50	00
" "	E L Thompson	"	1514	10	00
" "	C. S Chamberlain & Co	"	1515	3840	00
" "	C S Hawkins	"	1516	186	00
" "	R Campbell	"	1517	390	00
" "	State Journal	"	1518	69	50
" "	R Samuels	"	1519	22	00
" "	J Stewart	"	1520	26	00
" "	C Collins	"	1521	22	00
" "	A Mitchell	"	1522	80	00
" "	Same	"	1523	800	00
" "	E Blanko	"	1524	330	00
" "	J. F. W. Seller	"	1525	150	00
" "	Geo A Kingston	"	1526	168	00

April 26th	H Knight	Warrants	1527	330	00
"	J E Cleveland	"	1528	102	00
"	J H Thomson	"	1529	60	00
"	R B White	"	1530	16	30
"	J J & Van De Sande	"	1531	24	00
"	J M Guest	"	1532	60	00
"	J M Vance	"	1533	96	00
"	J Blackwell	"	1534	125	00
"	J & Parish	"	1535	760	00
"	Amount forwarded			287,298	31
"	L C Orr	Warrants	1536	120	00
"	L B Ford	"	1537	256	00
"	A Johnson	"	1538	48	00
"	A G Pindall	"	1539	712	00
"	Jones Brothers	"	1540	82	41
"	Folio 314. $ 288 616.84			288,596	72
"	Geo Shaffer		1541	114	00
"	J Blackwell		1542	12	50
"	C Shower		1543	312	00
"	C A Calaway		1544	390	00
"	W M Orrick		1545	120	00
"	D McWhorter		1546	78	12
"	A Golgrove		1547	330	00
"	R S Curry		1548	390	00
"	G A Kingston		1550	168	00
"	G Thornburg		1549	384	00
"	M M Erwin		1551	424	00
"	James C Stedman		1552	180	00
"	M A Marshall		1553	216	00
"	John Webb		1554	172	00
"	P Golgrove		1555	114	00
"	A D Thomas		1556	102	00
"	Same		1557	40	00
"	L B Mitchell		1558	84	00
"	J M Mcutt		1559	90	00
"	W H Cox		1560	102	00
Amount brought forwd.				292 899	34
"	G A Hawkes		1561	72	00
"	Same		1562	26	00
"	J P Henry		1563	250	00
"	Asa Hodges		1564	7	58
"	Same		1565	320	00
"	Lemmon & Co		1566	50	00
"	S Williams		1567	150	00
"	R F Livingston		1568	60	00
"	Same		1569	16	00
"	Lasker and Parker		1570	25	00
"	Woodruff and Adams		1571	1121	40
"	B C Morgan		1572	9	00
"	G Sewell		1573	110	00
"	J P Elder		1574	39	00
"	William B Stewart		1575	39	00
"					
"	Folio 315. $ 294.694.14			294.674	32.

April 26th	A Cates	Warrant	1576	195	00
"	C C Reid Jr		1577	168	00
"	M W Alexander		1578	78	00
"	B. J. Brown		1580	90	00
"		Same	1581	47	14
"	L H Howard		1582	26	00
"	R Brune		1583	150	00
"	P Mark		1584	25	00
"	M McCally		1585	60	00
"	C C Woodford		1586	240	00
Amount Carried forward				295753	46
28th	A M Hawkins		1587	150	00
"	W G Eakins		1588	60	00
"	Frank Gallagher		1589	119	14
"	L W Anderson		1590	60	00
"		Same	1591	900	00
"	L L Adams		1592	80	00
"	J Samuels		1593	300	00
"	L W Halloway		1594	200	00
"	L W. Dunn P		1595	27	00
"	S O. Robinson		1596	29	00
"	L M Gibson		1597	86	00
"	M. Colwell		1598	27	00
"	O Eggleton		1599	27	00
"	J B Shapard		1600	264	00
"	C C Reid Jr		1601	216	00
"	J G & Dan De Sande		1602	160	00
"		Same	1603	160	00
"	John A Gibbard		1604	160	00
"	L A Davis		1605	78	00
"	W A Christy		1606	456	00
"	C C Woodford		1607	141	48
"	S. A. Reid		1608	267	00
"	H. M. Cooper		1609	440	00
"	L H Barnes		1610	75	00
"	J. M. Murphy		1611	246	00
"	C W. Sankesby		1612	100	00
Amount Carried forward				300.532	68.
28th	J. R. Richards		1613	1860	75.
Folio 318		& 302.402.95.		302.392	85.
28th	M Mullaby		1614	30	00
"	J & J Dan De Sande		1615	480	00
"	R W O Payne		1616	180	00
"	E H Crawley		1617	312	00
"	W A Waddington		1618	40	50
"	James Thomas		1619	330	00
"	E M Main		1620	45	00
29th	J A Davis		1622	156	00
"	J R Stedman		1637	480	00
"	A S Rather		1638	330	00
"	A Brown		1639	60	00
"	J M Baker		1640	6	00
"	James Thompson		1641	26	02

		~~1644~~		
April 28th	H Jones	1643	210	00
"	J J White	1648	29	10
"	J Hendricks	1644	50	00
30th	J A Williams	1648	150	00
"	G B Sawyer	1649	150	00
"	H J Thompson	1650	150	00
"	C B Jones	1657	70	10
"	E J Courtney	1661	48	00
"	Samuel Hill	1666	158	00
"	F H Turbush	1667	36	00
"	A Earaloff	1670	30	00
	Amount Carried forward		305.826.	26
30th	A Colgrove	1671	60	00
"	L Bushong	1672	162	92
"	C B Kent	1673	32	50
"	C C Reid	1673	55	00
"	A L Gratton	1674	66	00
"	A Shelverson	1675	40	00
"	L R Richards	1676	268	00
"	C M Nichols	1676	78	00
"	R G Page	1677	90	00
"	L C Cleaveland	1678	42	00
"	G H Gibbs	1680	158	45
			$ 306874	20
	Folio 319.	$ 306.884 32		
May. 1st.	P L Dooley	1685	17	40
"	E A Beardsley	1692	60	00
"	D B Abrahams	1695	4	00
"	Hughes & McNally	1702	11	80
"	Little Rock Pub Co	1706	5000	00
"	Same	1707	5000	00
"	Same	1708	5000	00
"	Same	1709	5000	00
"	Same	1710	5000	00
"	Same	1711	3731	60
"	Price & McClure	1712	2000	00
"	Same	1713	2000	00
"	Same	1714	2000	00
"	Same	1715	1585	90
	Amount Carried forward		$ 343,214	90
"	Price & McClure	1716	1378	00
"	H. W Milam	1721.	13	50
"	L Ingraham	1725	160	00
"	John Ingraham	1726	160	00
"	Same	1727	160	00
"	C W Orrick	1736	240	00
"	C. C. Jones	1787	57	00
"	John D Jones	1738	45	00
"	M McCallay	1739	498	00
"	James Cleavland	1740	466	00
"	John Good	1741	666	00
5th	Lindsey & Whipple	1742	40	00

May	8th	Geo S Morrison & Son	1758	6	10
"		C C. Woodford	1759.	3641	95
	12th	C Co Tankersley	1800	240	00
	"	J C Cleaveland	1801	24	00
	"	J R. Richards	1802	1681	20
	"	William B Davidson	1803	984	00
	14th	G D Butler	1835	175	00
	23d.	C. C. Tankersley	1848	3728	00
	"	W P Davidson	1869.	800	00
	"	Same	1870	1599	00
	29th	J B. Jamison	1896.	4	00
	30th	W. H Field	1897.	4	00
June	19th	L C. Mitchell	2024	78	00
"	20th	A S Fowler	2031	12	00
		Amt Amount forward.		360.060.	65
Folio 320.		$360.070.88.			
July	10th	L D Royell	2270	60	00
	28d	A. E. Lingell	2348	16	00
aug	5th	John Roland	2460	38	00
"	7th.	M. S. Greiden	2456	21	75
		Folio 183. Ledger 5, 360. 206.57.			
		Little Rock Pub Co	1711	3731	16
		Price & McClure	1712	2000	00
		Same	1713	2000	00
		Same	1714	2000	00
		Same	1715	1515	90
		Same	1716	1378	00
		Amount forward.		158,499	30
April	10th	Little Rock Pub Co	742	2102	30
		" Do " "	743	2299	85
		" " " "	744	2889	50
		" " " "	745	14076	15
		" " " "	746	4928	93
		" " " "	747	991	60
		" " " "	748	3250	30
		" " " "	750	2676	10
		" " " "	752	17109	25
		J. C. McDaniels	842	7962	20
		" "	843	6084	00
April	11th	" "	844	6720	50
		" "	860	6490	10
		" "	861	7241	50
"	25th	Little Rock Pub Co	1164	2470	16
	26th	J C McDaniels	1289	6980	50
		" "	1290	6974	50
		" "	1823	6848	80
		Little Rock Pub Co	1471	14070	50
		" " " "	1473	1762	50
		" " " "	1474	1550	00
May	1st	" " " "	1706	6000	00
		" " " "	1707	6000	00

May 1st	Little Rock Pub Co	1708	$500	00
	" " "	1709.	$500	00
	" " "	1710	$500	00
	Amount Carried forward		145.874.	24.

Month

Copies of L. R. P. Co. & H. McDaniels & Price & McClure Vouchers

date	Warrants	what For.	$	cts.
April	10th 742	For amount of account rendered Printing &c. for the month of February (For Senate)	2102	30
April	10th 743	For amount of account rendered for Printing &c for month of January. (For Senate)	2299	85
April	10th 744	For amount of account rendered for printing for month of February For the senate.	2889	50
April	10th 745	For act. rendered for printing for month of February for senate	14076	15
April	10th 746	For amount as per bill rendered for printing for General assembly in joint session required by Statute	4923	93
April	10th 747.	For amount as per bill rendered for printing during the month of January 1873 for Senate.	991.	60
April	10 748	For account rendered for Printing &c for the month of March 1873. for senate.	3250	30
		Amount Carried forward.	30.533	
April	10th 750	For account rendered for Printing &c for the month of March 1873 for House of Representatives	2676	10
April	10th 752	For account rendered for Printing &c. for the month of March 1873 for senate.	17109	25
April	10th 842	For account rendered for stationary for senate and Com. for the month of January 1873	7962	20
April	10th 843	For account rendered for stationary &c for the senate and Com. for the month of March	6084	00
April	10th 844	For account rendered for stationary for senate and Ams for the month of February	5720	50

Continued

	date	Warrant	what For.	$	cts.
April	11th	860	For account stationary &c for the month ending 28th February 1893. for House of Representatives	5490	10
"	11th	861	For account stationery for the month ending January 31st 1893. for the H. of R.	7241	50
"	25th	1164	For amount as per bill rendered for printing during the month of January 1893. joint session.	2470	16.
			Amount Carried forward.	$ 84.687	44
May	2d	1712 1713 1714 1715 1716	To amount of account rendered and approved this day as per account on file.	8893	90
				158.499	30
April	26th	1289.	For amount of account rendered for stationary &c for the month of April for H. of Representatives	5980	50
"	26.	1290	For account for stationary &c. for the month of March 1893 for H of R	6974	50.
"	26	1323	For amount account rendered for stationary &c for the month of April for senate	5848	80
"	26	1471.	For amount of acc. rendered for printing &c for the month of april to be paid out of the appropriation to pay contingent expense of the general assembly.	14070	50
"	26	1473	For amount of senate account for printing &c. for the month of April	1762	50
"	26	1474	For amount joint session act. 1871. paid for reporting and compiling impeachment John McClure	1650	00
May	2d.	1706 1707 1708 1709 1710 1711	For printing bills reports &c. and filling orders made by both Houses in joint session and discount as per bill rendered	28731	16
			Amount Carried forward	149.605	40

Warrants drawn in favr of W. W. Orick.

1893

January	22d.	104	W. W. Orick	1000	00
	28"	128	" " "	1624	46
April	8.	717	" " "	1000	00
"	10	808	" " "	128	00
"	"	812	" " "	300	00
"	11	913	" " "	500	00
"	"	966	" " "	576	00
"	"	957	" " "	240	00
"	26	1545	" " "	120	00
May.	1.	1736	" " "	240	00
				$ 5528	46

Copies of W. W. Orick Vouchers. and Number of Warants.

Date	Warrant	What For.	$	cts.
January	22d.	104	For cash expended under resolution of senate instructing the Secretary of Senate to furnish daily to each member and officers of senate postage stamps. to the amount of 50¢ each.	1000	00
January	28	128	For amount paid out as secretary of the senate for postage stamps wrappers Newspapers &c.	1624	46
April	10	717	For the amount paid out for stationary &c. for the use of the senate.	1000	00
April	10th	808	For services as secretary of the senate of the state of Ark. 18 days. Commencing with the 20th day of March 1893. and ending with the 10th day of April 1893. @ $8 per day.	128	00
April	10th	812.	To transcribing the proceedings of the State Senate of Ark. of the session of 1893 into the journal 300000 words at 10 cts. per hundred words	300	00

Continued.

april	11th	913.	For amount paid out on account of postage and stationary for the senate.	500	00
			Amount Carried forwards.	4552	46
April	11th	956.	For services as sectreary of the senate of the state of arkansas 47. days commencing on the 6th-day of January 1873 and ending with the 22d day of Febmary a.D. 1873 @ 8.	376	00
11	11th	957	For same as above for 30 days commencing with the 22d day of Febmary 1873. and ending with the 24th-day of March a D 1873. 8. per day	240	00
11	26th	1545.	For same as above 15-days commencing with the 11th-day of april a D 1873 and ending with the 25th-day of april a D 1873. @ 8. per day	120	00
May	1st	1736.	For services on senate Committee as per senate resolution of 24th inst, to May 26-th inclusive 30. days @ 8 $. per day	240	00
				$ 5528	46

Warrants drawn by C. C. Hordford

date	Warrant	What for.	$	cts
April	11th	883-	C. C. Hordford.	672	00
11	11	884	11	80	00
11	11	1144	11	752	00
	26.	1396	11	492	00
	11	1467	11	120	00
	28	1586	11	240	00
	11	1607	11	141	48
May	8th	1759	11	3641	95
				$ 6139	43

Copies of C. C. Woodford's Voucher and No of Warrant.

1873

date	Warrant	what for	$	cts.
April	11th	883. For services as assistant Secty of the senate of the general assembly of the state of Arkansas. days commencing with the 6th day of January 1873. and ending with the 31st day of March 1873 at @ 8.8 per day	672	00
April	11th	884. For as above 10 days commencing with the 1st day of April 1873. and ending with the 10th day of April 1873 @ 8.8 per day.	80	00
April	11th	1144. For extra work in writing up the journal at night 9 nights to April 10th 1873 at 8.8. per night	952	00
April	26th	1395 For his services as clerk com. Engrossed bill of the House of Representatives of the state of Arkansas. 82 days from the 10th January until the 2d April.	492	00
"	26th	1467 For assistant Secretary of Senate 15 days. from 11th April until 25th April. @ 8.8 per day.	120	00
"	28	1586 For services as Senate Comm. as per senate resolution of the 24th inst. to May 25th inclusive 30 days 8.8. per day	240	00
		Amount Carried forward	2356	00
"	28th	1607 For night work as assistant Secretary of the senate 16 nights at 8.8. per night to the 25th of April	8 120.00	
		and for balance due for postage at 50 ct. per day	21.48	141 48.

1873. Continued.

Year.	date	Warrant	What for.	$	cts.
May	8th	1709.	For amounts paid at various times during the session of the general assembly of 1873. for stationary stamps wrapping and other items as per bill rendered. $2613.25		
	8th		For fees copying the senate Journals of 1873. including journal of executive session 1.328.700 @ 10 per 100 words. less voucher for $300. already drawn. 1028.70	3641	95
				$ 6139	43

Warrants drawn in favor of J. H. Anderson.

date	Warrant	What For	$	cts.
April	10th	737	J. H. Anderson.	250	00
"	"	738	" "	200	00
"	"	740	" "	250	00
"	11	870	" "	300	00
"	12	1009	" "	36	00
"	25	1160	" "	60	00
"	"	1161	" "	40	00
"	"	1162	" "	279	00
"	28	1590	" "	60	00
"	"	1591	" "	400	00
			$	2375	00

Copies of J H Andersons Vouchers.

date	Warrant	What For	$	cts.
Feby	18	737.	For part payment on account for services as clerk recording proceedings of senate	250	00
Jan	31.	738.	For making stenographic report of the proceedings of the senate. on the first day of the session Jany 6th 1873. and for preparing the same for publication and, $100.00 For making stenographic report of the proceedings of the senate on last house in joint session as above and preparing the same for publication $100.00	200	00

Continued

year	date	Warrant	what for	$	cts
Feb	24th	740	For part payment on account for services as Journal Clerk pr the Senate of Arkansas	250	00
April	4	870	For services as Journal Clerk of the State Senate of Arkansas 37½ days at $8 per diem.	300	00
April	12	1004	For services as Clerk of Committee on Hempstead County affairs 6 days @ $6.	36	00
			Amount carried forward	1086	00
Feb	19	1160	For services as Clerk of Senate Committee on Hempstead County affairs and for Transcribing evidence	60	00
No date		1161	For services as witness before the Senate Committee of investigation, appointed to investigate the affairs of Hempstead County 20 days @ $2 per day.	40	00
Feb	19	1162	For services as Clerk of Senate Committee on Hempstead County affairs and for transcribing evidence	279	00
April	28	1590	For services as Journal Clerk of the State Senate of Arkansas 10 days @ $8 per day	80.00	
		1591	and 110 Rights @ $8 per Right	880.00	960 00
				2375	00
			Warrants drawn in favor of C. W. Tankersly		
April	10	780	C. W. Tankersly	1030	00
"	26	1317	"	100	00
"	28	1612	"	100	00
May	12	1800	"	240	00
"	23	1868	"	378	00
				$748	00

Copies of Vouchers and number of Warrants &c to Tankersley

	date	Warrant	what for	$	cts
April	10	1780	For services as Speaker of House of Representatives 10 days commencing with the 6th day of January 1873 and ending with the 15th day of April 1873 @$6.00 per day $1000.00 For traveling 150 miles and return. @20¢ per mile 30.00	1030	00
April	26	1317	For services as Speaker the House of Representatives 10 days commencing with the 16th April 1873 and ending with the 25th day of April 1873 at $10 per diem	100	00
April	28	1612	For services as Speaker of House of Representatives 10 days commencing with the 26th day of April 1873 and ending with the 5th day of May 1873 @ $10 per diem.	100	00
May	12	1800	For services as Speaker of House of Representatives 24 days commencing with the 1st day of April 1873 and ending with the 24th day of April 1873 @ $10 per diem	240	00
Voucher dated March 28. 1871 Warrant dated May 23rd 1873.		1868	For examining and reading proof sheets and Comparing Journals of the House, and Clerk hire on Committee of Review on Bills.	3728	011
				5798	00

Warrant drawn in favor of H. M. Cooper.

Jany	23	109	Henry M Cooper.	2000	00
"	27	126	" "	4110	89
April	10	816½	" "	680	00
"	"	817	" "	2982	40
	"	862	" "	168	00
	"	863	" "	180	00
	26	1278	" "	190	00
	"	1279	" "	240	00
	"	1281	" "	1290	72
	"	1285	" "	200	00
	"	1286	" "	6500	00
	28	1609	" "	440	00
				18,982	01

Copies of H M Cooper's Vouchers and Number of Warrants

year	date	Warrant	What for	$	cts
Jan	22	109	For amount expended for postage for Members and Officers of the House of Representatives under instructions of the House.	2000	00
Jan	27	126	For amount for purchase of Newspapers for Officers and members of the House of Representatives and the contingent expenses of the House	4110	89
April	10	816½	For services as Clerk of the House of Representatives of the State of Arkansas 85 days commencing with the 8th day of January 1873 and ending with the 31st day of March 1873 @ $8 per day.	680	00
April	10	817	For postage for Members and Officers of the House of Representatives by order of the House	2982	40
April	11	862	For expenses incurred for Clerk hire Copying bills for Public Printer	168	00
April	11	863	Expenses incurred for clerk hire, copying bills for public printer	180	00
April	26	1278	For expenses incurred for Clerk hire Copying bills for Public Printer by order of the House for the month of March	140	00
			Carried for	10311	29
April	26	1279	For expenses incurred in copying bills for the Public Printer by order of the House for the month of March	240	00
April	26	1281	For postage furnished Members and Officers of the House of Representatives by order of the House	1290	72
April	26	1285	For services as Clerk of the House of Representatives of the State of Arkansas 25 days commencing with the 1st day of April 1873 and ending with the 25th day of April 1873 @ $8 per day	200	00
April	26	1286	For newspapers furnished the members and Officers of the H of R by order of the House	6500	00
			For services as clerk Extra day by order of the H of R of the State of Ark 120 days commencing with the 6th day of Jan 1873 ending with the 5th day of May 1873 at $3 per day	360	00
			and for clerk of the H of R 10 days commencing with the 26th day of April 1873 ending 5th day of May 1873 @ $8 per day	80	00
					$440.00
					$18982.01

Warrants drawn in favor of W. P. Davidson.

Year	date	Warrant		$	cts
April	11	899	W P Davidson	568	00
"	26	1240	"	64	00
"	"	1241	"	248	00
"	"	1242	"	90	00
"	"	1313	"	140	00
May	12	1803	"	984	00
"	23	8869	"	800	00
"	"	1870	"	1590	00
				$5744	00

Copies of Vouchers and number of Warrants W P Davidson

April	11	899	For services as Journal Clerk of the House of Representatives of the State of Arkansas 71 days commencing with the 6th day of January 1873 and ending with the 17th day of March 1873 at $8 per day	$568 00
April	26	1240	For (as above) 8 days, 18th April to 25th of April	64 00
April	26	1241	For (as above) 30 days, 18th of March to 17th of April	248 00
April	26	1242	For services as First assistant Clerk of the House of Representatives of the State of Arkansas 30 days commencing on the 26th day of March 1873 and ending with the 24th day of April 1873 D & S. Sunday as per order of the House 25th of March 1873.	90 00
			X For Services as assistant-Clerk of the House of Representatives of the State of Arkansas 125 days commencing on the 6th day of January 1873 and ending on the 5th day of May 1873 at $11 per day by order of the House of Representatives #1330 and for services as Journal Clerk of the House of Representatives 10 days from the 25th of April to the 5th of May a $8 per day #80.	1400 00
			Amount of Vouchers forward	2370 00
May	12	1803	For Services as Journal Clerk of the House of Representatives of the State of Arkansas 123 days commencing the 2nd day of Jan 1871 and ending the 24 day of April 1871 @ $8 per day.	984 00
May	23	1869 1870	For balance due for Indexing the Journals of the H of R session 1871 and for superintending the publication of the same.	2390 00
				5744 00

Warrants drawn in favor of L B Chaplin.

1873.	date	Warrant	what for.	$	cts.
April	10th	835	L. B Chaplin	168	00
"	11	920	" " "	324	00
"	26	1310	" " "	168	00
"	"	1470	" " "	2180	00
				$ 2840	00

Copies of L. B Chaplin Vouchers and Nos of Warrants.

date	Warrant	what on.	$	cts
April	10th	835	For his services as a member of the House of Representatives of the state of Arkansas. 28. days commencing with the 1st day of March 1873. and ending with the 28th day of March 1873. @ 6 $ per day	168	00
April	11th	920	For as above 32 days commencing with the 6th day of January 1873. and ending with the 28th day of February a.d 1873. @ 86 $ per day.	32	00
"	26th	1310	For as above 28 days commencing with the 29th of March 1873. and ending with the 30th day of April 1873 @ .86. per day.	168	00
"	26	1470	Chairman of special Committee to investigate accounts of all state officers. for Mileage and per diem. of witnesses summond before the Committee as per vouchers.	2180	00
				$ 2840.	00

Warrants in favor of Chas. E. Berry.

1873	date	Warrant	What For	$	cts
April	10th	838	Charles. E. Berry.	264	00
"	"	839	" " "	186	00
"	"	840	" " "	168	00
"	26	1322	" " "	384	00
"	"	1340	" " "	910	00
"	"	1386	" " "	150	00
				5518	00

Copies of Vouchers and Numbers of warrants Chas. E. Berry.

date	Warrant	What For	$	cts
April	10.	838.	For services as member of the House of Representatives of the State of Arkansas 26 days commencing with the 6th day of January a D 1873. and ending with the 31st day of January 1873. @. $6. per day. $156.00 Traveling 540 miles and returning at 20 ℔. 108.00	264	00
	10th	839.	For services as member of the House Representatives State of Arkansas for 31. days commencing with the 1st day of March 1873 and ending with the 31st day of March 1873. @. $6. per day.	186	00
	10th.	840	For services as member of the House of Representatives of the State of Ark's.. for 28. days commencing with the 1st day. Feby. 1873 and ending with the 28th day of Feby. 1873. at $6. per day.	168	00
	26th	1322	For expenses Committee on Pope County Troubles as per Voucher. for mileage as per diem of Witnesses	384	00
	26th	1340	For expenses of Committee on Pope County troubles as per Voucher for Mileage and per diem of witnesses	910	00
	26th	1386	For services as member 25 days from 1st day of April 1873. to 25th day of April 1873. at $6. per. day.	150	00
				5518	00

Warrants drawn in favor of Benton Turner.

1873.	date.	Warrant	what for	$	Cts.
April	10th	803	Benton Turner.	266	00
"	"	804		168	00
"	11	942		130	00
"	25	1139		96	00
"	26	1483		150	00
"	"	1484.		384	00
				$ 4651	00

Copies of Benton Turner Vouchers and Number of Warrants.

April	10"	803	For services as member of the House of Representatives of the State of Arkansas 41. days Commencing with the 6th day of January A D 1873. and ending with the 15th day of February 1873. @ $6.00 per diem. $246.00 Traveling 100 miles and returning. 20¢. 20.00	266.	00
"	10	804.	For services as Member of the House of Representatives of the State of Arkansas 28 days Commencing with the 16th days of February A D 1873. and ending on the 16th day of March. A D $6.00 per day	168	00
	11th	942	For rent of three rooms for use of Committees in the Butland Building 2 months at $65. per month	130	00
	25th	1139	For services as a Member as above Commencing with the 16th day of March. 1873 and ending 31st day of March 1873. @. 6.00 per day	96	00
	26th	1483	For services as above 25 days Commencing with the 1st day of April 1873 and ending with the 25th day of April 1873. @ $6.00 per day	150.	00

Continued.

1873.	date.	Warrant.	What for.	$	cts.	
April	26"	1484	For rent of rooms for the different Committees of the House. lights, fuel, furniture, Gas. &c, for the same pursuance of an order and resolution of the House,	384.	00	
				4651.	00	

Warrants drawn in favor of J. R. Richards.

	date.	Warrant.	What for.	$	cts.	
April	25th	1151	J. R. Richards.	60	00	
	26	1210		108	00	
	28	1613		1860	95	
	30	1675		268	00	
May.	12	1802.		1681	20	
				3977	95	

Copies of J. R Richards Vouchers and number of Warrants.

	date	Warrant	What for	$	cts.	
April	26th	1157.	For services as Clerk of the Committee on Militia of the senate of the state of Arkansas 10 days Commencing with the 19th day of February 1873 and ending with the first day of March 1873. @ $600 per day.	60	00	
"	26"	1210	For services as above 18. days. from the 1st of March 1873. to the 18th of March 1873. at $6.00 per day.	108	00	
"	28"	1613.	For amount paid extra for clerk hire enrolling. and engrossing bills and postage paid mailing documents as per order of the House. (Vouchers dated March 26" 1871)	1860	95	
"						
"	30th	1675	For services in organizing and attending an opening of session 1873. 22. days. at. $8. per day $176.00 Mileage 460. Miles 20 ct. per mile. 92.00	268	00	
May	12th	1802.	To amount paid for stationary furnished Committee of the House as per order of Chairman (dated March 28th 1871)	1681	20	
				$ 3977	95	

(B)

Appropriation to defray expenses of publishing Journals of General Assembly and for indexing the same a sufficient amount to pay a reasonable compensation. Approved April 25th 1873.

1873.	date.	Warrant.	To whom paid	$	cts.
June	25	2050	James Torrans & W. P. Davidson	1100	00
"	"	2051	" " " "	1100	00
"	"	2052	" " " "	1100	00
"	"	2053	" " " "	1100	00
"	"	2054	" " " "	1100	00
"	23	2044	W. W. Dorick "	2000	00
"	"	2097	" " "	1000	00
July	8	2256	Chas. W. Tankersley,	6130	00
Oct.	1st	2739	Little Rock printing Pub. Co.	5000	00
"	"	2740	" " " "	5000	00
"	"	2741	" " " "	3000	00
"	6	2812	O. J. Bennett.	450	00
"	14	2857	G. H Gibbs.	475	00
"	"	2859	Judiciary.	3740	00
"	"	2860	"	1000	00
"	"	2861	"	1000	00
"	"	2862	"	1000	00
"	"	2863	"	1000	00
"	"	2864	"	1000	00
"	"	2865	"	1000	00
"	"	2866	"	1000	00
				$ 39285.	00

Copies of Vouchers publishing Journals and indexing the same.

date	Warrant	what for.	$	cts
June	25" 2050 2051 2052 2053 2054.	For expense in preparing index to local and private Laws of the state of Arkansas	500	00
June	23d 2044	For copy of the Journal of the Senate furnished to the state printer for publication. as per receipt hereto attached.	2000	00
June	30th 2097.	For services as secretary of the Senate, in furnishing copy of the Journal of the Senate of the session of 1873. to the state printer for publication	1000	00

Continued.

1873	date	Warrant.		$	cts
July	9th	2256.	For services and expenses incurred in traveling to Jefferson City Missouri, and Washington City Dist Columbia in the examination of Territorial Laws for the State of Arkansas and transcripts of the same as per bills	6120	00
Sept	25	2739			
		2740	For account of 5000. Copies of		
		2741	senate journal session 1873.	1500	00
Oct	6th	2812	For services rendered Indexer appointed by the Speaker of the House of Representatives to prepare Index and guide to local private laws of Arkansas.	450	00
			Amount Carried forward.	2807	00
Oct	14th	2857.	For stationery furnished Indexers of local and private laws of Arkansas.	475	00
"	14th		For services rendered. Clerk hire and expenses. incurred by indexing appointed by the Speaker of the House of Representatives in preparation of Index and guide to local and private laws of Arkansas from April 26th 1873 to September 30 1873. and for services rendered by Speaker of the House of Representatives in superintending preparation of said Index and Guide from May 6th. 1873 to September 30. 1873., Signed by W.P Davidson Indexer	1480	00
1874.					
January	12th	82.	For services rendered indexers appointed by President of the Senate, in preparation of Index to the private and local laws of Arkansas. from the 1st of July 1873. to November 30 1873. 5 mos. at 150 $. per month	750	00

Appropriation of a sufficient amount to pay for state printing not to exceed 60,000.00 per annum. Approved April 26th 1873.

1873	date	Warrant.	On whom paid	$	cts.
Jan	9th	44	White River Journal	15	00
"	"	45	Same	85	75
"	"	46	Samuel Bard	5563	50
"	18th	86	Same	600	00
"	29th	193	South Arkansas Journal	187	00
Feby	24th	405	Western Empire	103	60
"	"	409	Batesville Republican	37	50
"	27th	423	White River Journal	57	00
"	28	449	Gazette Pub. Co.	233	70
March	1.	468	Courier & Express	48	75
"	3d	493	Price and McClure	4741	80
"	4	475	Randolph Co Courier	10	00
"	7	500	Western Empire	86	92
"	8	516	Arkansas statesman	188	70
"	10th	512	J. A Bozley	16	25
"	"	513	Same	87	00
"	"	514	Augusta Sentinel	27	50
"	"	515	White River Journal	24	50
April	4th	682	Little Rock Pub. Co	5600	00
"	14	1052	V. Dell	65	00
June	28	138	White River Journal	73	00
July	1st	2107	Augusta Sentinel	17	50
"	"	2161	Western Empire	491	90
			Amount Carried forward	18301	87
July	1	2169	V. Dell.	84	50
	3	2212	L. R. P. & Co	4031	45
	"	2213	Price & McClure	73	75
	"	2214	Little Rock Printing Co	3741	45
	7.	2241	Same	8700	00
	"	2242	"	13,269	90
	9th	2259	Batesville Republican	22	00
	"	2260	South Ark. Journal.	82	50
	"	2261	Helena Clarion	36	75
	"	2262	J. H. Battenfield	14	00
	"	2263	Helena Clarion	19	75
	16	2308	White County Record.	60	00
	17	2316	Western Empire.	169	00
	19.	2322	Little Pub. & P. Co.	8080	75
	"	2327	Ark. Gazette.	33	75
	"	2328	Western Empire	90	00
	"	2329	Ark. Statesman	108	75
	"	2330	White Co. Record	20	00
	"	2331	Courier & Express	99	75
	"	2334	R. P. P. & Co	8500	00
	23	2341	Arkansas Patriot	390	00

Continued.

1873	date	Warrant		$	cts.
Aug	12	2472	L. O. Alford.	45	50
	20	2525	Price & McClure	2895	00
Sept	1	2583	Western Empire	430	25
"	16	2653	L. R. P. P. & Co	16874	15
"	17	2668.	Paine	1829	65
			Amount Carried	87904.	47.
"	17	2721	Arkansas Journal of Education.	386	00
Oct	9	2829	Woodruff & Adams.	600	25
"	16	2886	Paine.	285	25
"	20	2921	Pittsburg Gazette.	313	95
"	24	2944	J. A Gibbud agent.	162	50
"	28	2962	Frank Pease.	7	50
Nov	3	3009	England & Newland	287	50
"	5	3018	Russellville Tribune	212	00
"	"	3019	Frank Pease	190	00
"	6	3023	Woodruff & Adams.	2704	25
"	10	3049	Little Rock P. & Co.	13,921	02
"	11	3062	White County record	350	00
"	"	3063	Paine	40	00
"	29	3209	Little Rock P. Co.	3102	03
Dec	22	3418	Paine.	100	00
"	"	3419	Paine	100	00
"	"	3420	Paine	100	00
"	"	3421	Paine	100	00
"	"	3422	Paine	100	00
"	"	3423	Paine	100	00
"	"	3424	Paine	100	00
"	"	3425	Paine	100	00
"	"	3426	Paine	100	00
"	"	3427	Paine	100	00
"	"	3428	Paine	100	00
"	"	3429	Paine	100	00
			Amount Carried forward	$ 111591.	72
Dec	22	3430	Little Rock Pub. Co	100	00
"	"	3431	" Paine,	100	00
"	"	3432	Paine,	151	95
"	"	3433	Paine,	200	00
"	"	3434	Paine,	200	00
"	"	3435	Paine,	200	00
"	"	3436	Paine	200	00
"	"	3437	Paine.	200	00
"	"	3438	Paine,	200	00
"	"	3439	Paine,	200	00
"	"	3440	Paine,	200	00
"	"	3441	Paine,	200	00
"	"	3442	Paine,	200	00
"	"	3443	Paine.	200	00
"	"	3444	Paine	200	00
"	"	3445	Paine,	200	00
"	"	3446	Paine,	152	10

Continued

1873.	date	Warrant	To whom	$	cts
Dec	22d	3447	Little Rock Pub. Co.	200	00
"	"	3448	" " "	392	35
"	"	3449	" " "	377	50
1874.					
Jany	14.	85	Democrat Lith & Print Co	273	00
Feby	18	328	Little Rock Pub. Co.	1503	50
"	"	326	Same.	636	75
April	3	617	White River Journal	42	00
"	"	631	Little Rock Pub. Co	9729	60
June	5.	988.	Woodruff & Adams.	6686	25
			Amount Carried forward	$ 136456	72
June	19	1149	Little Rock Pub. Co	890	25
	26	1189	John Gibbons	191	00
	"	1190	Little Rock Pub. Co	791	40
	27	1193.	Same.	271	65.
				136681	02.

Copies of Conchus Republican
Office for state printing

1873.
March 3d — 473.
Printing as per bill rendered

Secretary state.	$ 625.55
Executive Office.	1033.95
Blind Institute	12.50
Treasurers Office	10.00
Chancery Court.	1774.55
State Land	416.35
Deaf Mute Institute	318.50
Comr Pub. Works	207.50
Auditors Office.	343.10
	4741 80

1873
April 4th — 682. For printing as per bills hereto attached

Auditors office	$ 3125.00
Executive Office	1162.75
Penetentiary	106.00
Industrial University	485.75
Public Instruction	561.80
Attorney General	12.00
State Land Office	146.65
	5600 00

Continued

1893	date	Warrant.		$	cts.	
July	3d.	2212.	For Printing for Chancery Court. Blind Institute Secretary state. (Approved & Certified to Board of Full Statement by Fourth Auditor James Irvine Asst. Wm. M. Pavwick)	$ 20 70.55 234.60 172.30	431	45
			Amount forwarded.		14373	25
July	3d.	2213.	For printing as per bill attached Public Instruction Penetentiary (Approved & Certified to Board of Full Statement by Fourth Auditor W. L. Woodcock James Irvine)	5.00 68.75	73	75
July	3d.	2314.	For printing as per bills attached For Treasury. Chancery Court. Secretary state. Execution, Supreme Court. Commissioner state land Supt. Pub. Instruction Adjutant General Industrial University (Approved & Certified to Board of Full Statement by James Irvine Asst. Wm. M. Pavwick)	$ 234.15 1578.35 20.00 951.75 22.50 499.00 134.20 24.00 57.00	3741	45
July	7th	2241	5000 copies pamphlet with Index and Ans			
		2242	Impeachment trial John McClure. Paid for repertorial work 500 Copies in Clerk - 500 Copies Supreme Court reports Vol. 27. Folding stitching and binding Wrappers. (Approved & Certified to Board of Full Statement by James Irvine Henry Page W. L. Woodcock)	13,824 00. 1800 00 675 00 4705 40 925 00 40 00		16299.50 5670.40
			Amount forwarded	$ 40158	35	
July	17th	2322.	For advertising tax sale of land forfeited to the state. 9141 Tracts at 75 ct. Printing 500 pamphlets auditors sale of Lands. folding and stitching same. (Approved & Certified to Board of Full Statement by James Irvine Henry Page W. L. Woodcock)	6855.75 1175.00	8030	75

Continued

1843	date.	Warrant			
July	21st.	2334	On account printing and binding 6000. Copies of acts Special assembly 1843. Approved — James Doran. H. L. Warwick Henry Page.	8500	00
Aug	20th	2525	For Indry handcloths &c. acts 1843 Paid Frank Stamy state printing Ar voucher for 2525. The above copy taken from folio 438. Register of Warrants.	2895	00
Sept.	16th	2653.	Printing for the several departments as per account.		
			Com. of Public Works. & Asst. Insp.	319.00	
			Supreme Court.	20.00	
			Chancery Court. Approved Bill Johnson by Frank Stamy	2262.20	
			Supt. Pub. Instruction H. J. Warwick	1549.80	
			Com. Ins. & state Lands. Henry Page.	1097.60	
			Secretary state.	4262.65	
			Secretary state	15747.65	
			Treasurer.	93.80	
			Adjutant General.	21.50	
				25.374.	15
			Less amount drawn by Warrant 2334	8500	00
				16874	15
			Amount forwarded &	76455	25
Sept	14th	2668.	For account of Printing for Auditors Office. Approved H J Warwick, H. Page. and Bill Johnson by Stamy.	1829	65
Nov.	10th	3049.	State Printing as per accounts herewith		
			For Treasury. 186.50		
			Chancery Court. 1692.70		
			Immigration and state Lands. 388.10		
			Secretary of State. 452.90		
			Supreme Court. 192.00		
			Executive 437.15		
			Adjutant-Genl 185.00		
			Industrial University 8751.97		
			Adjutant General 92.55		
			Auditor 375.80		
			Auditor 497.00		
			Public Instruction 389.30		
				13921	02
			Approved Elisha Baxter Bill Johnson by Frank Stamy. Henry Page James Doran.		

Continued.

1873	date	Warrant		$	cts
Nov	29.	3209.	For state printing as per accounts- herewith. Auditor of state. 1314.18 Com. of Inn. & State Lands. 1003.95 Supt. Pub. Instruction 509.50 Treasurer. 61.70 Attorney General. 20.85 Deaf Mute Institute 191.85 Approved Elisha Bartlett Henry Page, J. M. Johnson by Frank Stanley		
			Amount forwarded	3102	03
				8 95 310	95
Dec	22d	3418			
		3419	For Printing as per bill attached		
		3420	for auditors office.		
		3421			
		3422	Approved		
		3423	E. Baxter		
		3424	J. M. Johnson		
		3425	by Frank Stanley,		
		3426	Henry Page.		
		3427		1557	95
		3428			
		3429			
		3430			
		3431			
		3432			
Dec	22d	3433	For printing for commissioner		
		3434	Inn. and State lands as per		
		3435	bill attached.	2752	10
		3436			
		3437	Approved		
		3438	E Baxter		
		3439	J. M Johnson		
		3440	by Frank Stanley.		
		3441	Henry Page		
		3442			
		3443			
		3444			
		3445			
		3446			

Continued

1893.	date	Warrant.		$	cts.
Dec	22d	3447			
		3448.	For printing for Industrial University approved same as above.	592	35
Dec	22d	3449.	For printing for chancery Approved E. Baxter J. M. Johnson by F. Strong Henry Page.	377	50
1894					
Feby	18th	325	For printing for Industrial University as per bill herewith.. Approved E. Baxter J. M. Johnson by F. Strong.	1503	50
	1	326	For printing for office Sec. and state Lands as per bill herewith. Approved. E Baxter J. M. Johnson by F. Strong. Henry Page. by H. H Binns.	636	75
			Amount forwarded	10214	25
April	3d	631	Printing for account per bill attached.		
			Auditors office 657.00		
			Auditors office 488.00		
			Office Immigration + state Lds. 272.45		
			" Supt. Pub. Instruction 1196.90		
			" Attorney General 235.35		
			Supreme Court 161.00		
			Chancery Court 4787.60		
			Chancery Court 987.30	9729	60
1894 June	19	1149.	Printing as per bill herewith		
			For Treasurer. 717.85		
			" Auditor 172.70	890	25

Continued.

	date	Warrant.		$	cts
June	26	1190.	Printing as per bills herewith.		
			For chancery Court. 334.75		
			" Immigration & State Lands. 205.45		
			" Board Education 176.20		
			" Secretary State. 75.00		
				791	40
1894.		1193.	Printing as per herewith		
			For deaf Mute Institute	271	65
				$ 114.408	00

D

Section 44. Revenue Law approved 28th 1893.

The expense of procuring such blank Books as are required by the provisions of this act shall be paid out of the state Treasurer on the warrant of the auditor. The expense of procuring the blank statements shall be certified to, by the Clerk, under the seal of his office, which certificate shall be forwarded to the state auditor, who shall draw a warrant on the state Treasurer in favor of the person printing the same for the amount certified to be due, Provided that the expense of printing such statements shall in no instance exceed one dollar per quire.

1893	date	Warrant		$	cts
May	1	1688	P. M. Bliss	107	00
	1	1692	J. Brizzolara	400	00
	1	1697	T. M. Hawkins	100	00
	1	1699	W. L. Chapman	360	00
	1	1704	Thomas and Newman	210	00
	2	1705	Thomas and Newman	300	00
"	7	1750	J. Wheeler	65	00
"	8	1760	W. Thompson	175	00
"	8	1761	W. Thompson	90	00
"	10	1783	Wm. Wallace	50	00
"	15	1848	John Love	80	00
"	16	1854	J. Lee	21	00
"	16	1856	C. C. Reid & Co	335	00
"	16	1859	Pine Bluff Press Publishing Co	250	00
			Amount - Carried forward	2503	00
May	26th	1879	J. Brizzolara	20	40
	11	1880	John T. Harrod	50	00
	29th	1895	J. Wheeler	500	00
June	2nd	1933	Gazette-Arkansas Journal	700	00
	3	1940	P. M. Bliss	164	40
	11	1941	Little Rock Manufacturing Co	50	00

Continued

1873	date		Warrant	$	cts
June	3rd	L. A. Sibbald	1946	38	00
	4	L. D. Sibbald	1947	98	00
	5	Arkansas Statesman	1958	126	00
	14	Little Rock Printing Co	1991	3125	00
	"	Little Rock Printing Co	1992	3475	00
	"	L. Wheeler	1995	200	00
	"	Jno. A. Sibbald	2003	59	00
	18	F. M. Bliss	2020	16	25
	19	C. F. Chamberlain and Co	2025	80	00
	20	F. R. Lyman	2034	339	50
	21	White River Journal	2040	231	00
	1	White River Journal	2041	11	00
	"	South Arkansas Journal	2042	1218	00
	25	Jno. A Sibbald	2056	162	50
	1	Geo. H. Winters	2058	62	50
	"	Courier and Express	2060	60	00
	"	Magnolia Flower	2062	80	00
	30	F. M. Bliss	2092	115	86
	"	Jno. Reed	2099	40	00
	"	Sam Bard	2100	2676	00
		Amounts Carried Forward		$ 18221	40
June	30th	C. S Pollock	2101	375	00
		Folio 179. Ledger 4. 18.640.00		18596	40
July	1st	Augusta Sentinel	2158	13	00
	5	South Arkansas Journal	2229	125	00
	"	W. G. McKelvey	2231	75	00
	"	J. D. Sibbald	2232	50	00
	14	L. D. Sibbald	2287	95	00
	"	Jno. A. Sibbald	2288	68	75
	17	Thomas Newman	2318	62	00
	"	Little Rock Printing Co	2326	1870	00
	25	F. M Anderson	2350	80	00
	31	John A Sibbald	2390	121	67
	"	L D Sibbald	2391	61	40
Aug	4	L M Bliss	2430	140	00
	"	St Louis Book and Newspaper	2432	250	00
	11	Pine Bluff Press	2467	100	00
	15	Jno. A. Sibbald	2497	75	00
	16	John E Knight	2503	182	33
	26	C. F. Chamberlain & Co	2536	60	00
	27	Little Rock Publishing Co	2542	1502	50
	28	Crane	2548	1170	00
	30	F. M Anderson	2563	50	00
Sept	1	Jno. A. Sibbald	2581	83	00
	4	L. Dell	2602	105	00
	12	C. F. Chamberlain & Co	2624	50	00
	11	John Bliss	2627	40	60
		Amount Forward		$ 24491	65

Continued

	date		Warrant	$	cts
Sept	15	L W Anderson	2640	95	00
	16	Eno. Bluff. Press Pub Co	2649	300	00
	17.	Little Rock. Pub. Co	2667	4582	10
	11	L D Sibbald	2669	50	00
	"	L A Sibbald	2670	50	00
	19	C. F. Chamberlain & Co	2678	90	00
	30	Same	2711	80	00
	"	L W Anderson	2716	75	00
Oct	1.	Arkansas Patriot	2759	362	00
	"	Same	2760	80	00
	3	L D Sibbald	2787	75	00
	10	L A Sibbald	2837	77	00
	15	L W Anderson	2881	50	00
	"	Geo A Sibbald	2884	90	00
	16	Eno Bluff Press Pub Co	2885	1000	00
	18	L D Sibbald	2899	40	00
	30	Geo A Sibbald	2962	100	00
	11	H. L Campbell	2963	50	00
	31	L W Anderson	2973	50	00
Nov	10	Price & McAdam	3044	51	58
	12	Sam Bard	3066	1586	83
	"	Same	3067	2023	17
	15	L W Anderson	3108	50	00
	"	Geo. A Sibbald	3125	82	00
	"	O. S. Pittard	3129	82	50
	21	Dan C. Rancher	3172	11	70
		Amount Carried Forward		$ 35.635	53
Nov	26	Little Rock Pub Co	3198	4450	00
	29	Geo A Sibbald	3202	128	00
Dec	1	O. Schuler	3224	540	00
	"	L. W. Anderson	3226.	50	00
	3	J M Bliss	3267	466	00
	"	J S Pollock	3269	310	00
	6	White River Journal	3286	190	00
	"	South Arkansas Journal	3287	150	00
	8	White River Journal	3295	369	00
	13	James D. Sibbald	3330	75	00
	"	L. W. Anderson	3332	50	00
	15	W M McKelvey	3357.	50	00
	"	Geo A Sibbald	3361	75	00
	20	J Wheeler	3395	28	10
	"	Same	3396	258	75
	"	Little Rock Pub. Co	3401	500	00
	"	Same	3402	500	00
	"	Same	3403	500	00
	"	Same	3404	500	00
	"	Same	3405	500	00
	"	Same	3406	500	00
	"	Same	3407	500	00
	"	Same	3408	500	00

Continued

1873	date		Warrant	$	cts
Dec	20	Little Rock Publishing Co	3409	500	00
	11				
	11	Ledger Folio. 116. $47.324.38.			
	20.	Little Rock Publishing Co	3410	500	00
		Amount forward		$47820	38
Dec	20	Little Rock Pub. Co	3411	500	00
	11	Same	3412	500	00
	11	Same	3413	500	00
	11	Same	3414	500	00
	11	Same	3415	500	00
	11	Same	3416	500	00
	11	Same	3417	312	95
	22	J. K Lyman & Co	3451	104	00
	11	White River Journal	3453	125	00
	24	L M Anderson.	3460	50	00
	26	Bar. H. Belding	3469	150	00
	30	Geo A Sibbald	3492	105	00
	11	J. S Pollock	3521	603	50
	31	W. L. McKelvey	3560	50	00
1874. Jan	3	Jefferson Republicano	32	88	00
	11	J. M. Bliss	84	190	00
	5	J. H. Belding	35	633	00
	6	C. F. Chamberlain & Co	46	100	00
	7	White River Journal	57	100	00
	11	Same	58	500	00
	11	Same	59.	102	00
	8	Greenwood Standard	63.	192	00
	10	Little Rock Publishing Co.	76	500	00
	11	Same	77	500	00
	11	Same	78	500	00
	11	Same	79	667	00
		Amount forward		56574	88.
Jan	17	G A Sibbald	117	53	00
	20	G H Belding	132	1057	00
	11	Jefferson Republicano	134	500	00
	28	White River Journal	161	757	00
	31	G A Sibbald	189	55	00
Feby	5	A G Mafford	245	179	00
	6	Chambers & English	252	205	00
	13	J. W Pollock	281	260	00
	14	Geo A Sibbald	290	75	00
	17	Geo A Sibbald,	319	85	00
		Ledger C. Folio 166 $59.648.83		$59.746	88
	18th	Little Rock Publishing Co	329	500	00
	11	Same	330	500	00
	11	Same	331	1000	00
	11	Same	332	1000	00
	11	Same	333	1000	00
	11				

Continued

	date		Warrant	$	cts
Feby	18.	Little Rock Publishing Co	334	1000	00
	"	Same	335	1000	00
	"	Same	336	1000	00
	"	Same	337	1000	00
	"	Same	338	1000	00
	"	Same	339	1000	00
	"	Same	340	1000	00
	"	Same	341	500	00
	"	Same	342	500	00
	"	Same	343	735	10
		Amount forward		$ 81,481	98
Feby	23	Pine Bluff Press Pub Co.	362	400	00
	25	Jno A Gibbald	364	50	00
	28	Jno A Gotsland	406	25	00
Mar	3	W. C. & G. Bliss	421	200	00
	16	Pulver Page Hoyne & Co	479	83	33
	17	Jno A Gibbald	485	122	00
	19	Little Rock Pub Co	496	905	00
	30	White River Journal	572	123	00
	31	Little Rock Pub Co	530	600	00
	"	Same	531	1261	00
	"	H. G. Campbell	547	27	00
	"	Jno A Gibbald	548	98	00
	"	John Lowe	568	150	00
April	1	Thos Newman	584	21	00
	"	Price & McClure	585	12	50
	"	Same	586	62	50
	2	C & G Chamberlain & Co	609	41	66
	"	John A Gotsland	611	20	00
	3	Price & McClure	629	166	65
	9	C & G Chamberlain & Co	657	180	00
	"	Same	658	160	00
	15	Henry G Campbell	690	31	00
	"	John Lowe	700	100	00
	"	Jno A Gibbald	705	45	00
	Ledger	Folio 167	$ 90,668	53	
April	27th	Fort Smith New Era	742	200	00
		Amount forward	$	90,966	62
April	27th	C Dell	743	65	00
	29	Jno A Gibbald	750	197	00
May	4th	Arkansas Patriot	777	300	00
	"	Little Rock Manufacturing Co	779	120	00
	6th	Little Rock Publishing Co	789	3000	00
	"	Same	790	3000	00
	"	Same	791	3000	00
	"	Same	792	3269	20

Continued

	date		Warrant	$	cts
May	12	Jno A Sibbald	800	190	00
	14	Little Rock Publishing Co	807	3000	00
	"	Same	808	3000	00
	"	Same	809	1000	00
	"	Same	810	1000	00
	"	Same	811	1000	00
	"	Same	812	1000	00
	"	Same	813	1000	00
	"	Same	814	1000	00
	"	Same	815	1000	00
	"	Same	816	1000	00
	"	Same	817	1855	85
	15	Same	823	1792	00
June	5	E L Chamberlain & Co	976	462	00
	8	Sam Bard	1013	1420	00
	"	J C Berry	1016	600	00
	9	Arkansas Gazette	1041	95	00
	12	John Reed	1078	10	00
		Amount forwards		$	124.238.72
June	14	Pellerlle Gazette	1101	50	00
	17	Little Rock Pub Co	1143	1966	65
	24	J. C Berry	1183.	250	00
	30	Jno. A. Sibbald	1216	77	00
		Ledger 5. Folio 168, $126.775.30		126052	30
		Copies of Vouchers of Price & McClure for printing blank statements.			
1873 June	14th	For 2121 quires Assessors Blanks for Auditor.	1991	3125	00
June	14th	Blanks for Auditors Office, Day books for Year 1873.	1992	5475	00
July	14th	Printing Assessors Statements for the Counties of	2326		
		Montgomery. 168.00			
		St Francis 184.00			
		Clayton. 184.00			
		Lonoke 165.00			
		Independence 126.00			
		Garland 126.00			
		Crawford 168.00			
		Hempstead 128.00			
		White 126.00		1370.	00

Continued

	date		Warrant	$	¢
Aug	24th	Printing Assessors Statements for the Counties of	2532		
		Columbia $105.00 Howard 100.00 205.00			
		Johnson 112.50 Little River 125.00 287.00			
		Saline 105.00 Scott 180.00 285.00			
		Sevier 168.00 Van Buren 168.00 336.00		$1053.	00
		Amount forward		$9970.	00
		Arkansas 50.00 Pope 85.00 135.00			
		Stone 143.00 Green $87.00 230.00		1502.	50
		Lafayette 84.00			
Aug	28	For Printing Assessors Statements for Counties	2548		
		Izard 160.00 Clark 165.00 325.00			
		Monroe 185.00 Mississippi 143.00 328.00			
		Crittenden 185.00 Lawrence 184.00 369.00			
		And Benton 150.00		1170.	00
Sept	17	Blanks for Auditors Office itemized Bill	2667	4682	10
Nov	10	Assessors Blanks for Searcy County	3144.	51	58
Nov	28.	Day receipts &c for Auditors Office	3198	4450	00
Dec	20	Printing blanks &c for Auditors Office	3401		
			3402		
			3403		
			3404		
			3405		
			3406		
			3407		
			3408		
			3409		
			3410		
			3411		
			3412		
			3413		
			3414		
			3415		
			3416		
			3417	8312	96
		Amount forward		$30,039	13
1874 Jan	11	For 2167 quires collectors statements for the	76		
		collection of taxes 1873 at $1, per quire	77		
			78		
			79	2167	00
				32206	13

Continued

1874	date		Warrant	$	Cts.
				32206	13
			329		
			330		
			331		
			332		
			333		
			334		
			335		
			336		
			337		
			338		
			339		
			340		
			341		
			342		
			343.		
Feby 18th 1873		For auditors office			
Dec. 22nd		21 2/3 Dunis Collections Bonds.	21.85		
" "		Ruling 41 2/3 Dunis Blanks.	41.65		
"	31st.	2199 Dunis tax receipts.	2199.00		
1874. Jan	8	48 Dunis paper ruled to order	84.00		
"	"	Advertising 132 dgs. d. 3. St. 1.	429.00		
"	9.	21 5/6 Dunes Collections Bonds.	21.85		
"	"	Postage Paid	7 40		
"	"	2167. Dunis. Collections statements	2167.00		
"	"	416 2/3 Dunis Tax receipts.	416 65		
"	"	23 Dunis Auctions Licences	23.00		
"	12	25 Dunes Pedlars "	25.00		
"	"	8 1/3 Dunis Exhibitions Licences	8.35		
"	13	21 5/6 Dunis Ret. Tax on Vacant Lands.	21.85		
"	"	1990 Dunis Tax receipts.	199.00		
"	"	21 5/6 Dunis. Circulars	21.65		
"	14	25. Dunes Coll. act. Sinking			
"	"	fund & special ruling	31.00		
"	"	25 Dunis fines Penalties &c.	31.00		
"	"	25 Dunes fines Collected.	31.00		
"	19	Two Bks. 1/4. Bound Warrants Land			
		redeemed.	215.00		
		1 Bk. 6. quires fine sheep parchments and bands mended bound and indexed	69.00		
		Amount brought forward.		32,206	13

Continued

	date		$	ct.	$	ct.
Jan	19.	1 book six qrs full sheep russia ends and bands register Lands donated to R R	8	00		
Jan	19	1 Book eight qurs full sheep russia ends and bands Record paged and indexed	6	00		
Jan	21	500 Pamphlets Supt Ct decision State Scrip	1	40	00	
		$416\frac{2}{3}$ qrs Tax receipts	41	6	65	
	24	Binding full sheep pliable cover field notes Desha County.		10	00	
	27	500 extra slips		1	5	00
	30	1497 qrs Tax receipts.	14	97	00	
	11	708 qrs coll and assessors bonds	7	08	00	
	11	Ruling 552 qurs ey Graham Border @ $4.50	24	84	00	
	11	Ruling 800 " Sheep royal " @ $4.00	33	60	00	
	11	Printing 1392 qurs headings @ 1.50	20	88	00	
	11	Folding Stitching and binding 250 bks				
	11	Full cloth	25	00	00	
	11	50 Flex Sheep	7	50	00	
		Warrant 496.	$ 217	35	00	
1874 March	19	Co printing 905 qrs Clk statements as per Certificates attached @ $1.00 per qr	9	05	00	
		Warrant 530				
	31st.	Printing 200 qurs ey Heavy paper Co order @ $6.50	26	00	00	
		Printing 600 qurs supl roy @ $4.00	24	00	00	5000.00
		Warrant 531.				
		Remyed Bill to Auditor $1912.00				
		Warrant 585. deducted 651.00	12	61.	00	59.107 13
April	1st	25 12½ qurs Collectors receipts		12	50	
		Warrant 586				
April	1	62½ acs personal property		62	50	
		Warrant 629.				
April	3.	Printing 166⅔ qurs tax receipts		166	65	
		Warrants 808. 809. 810. 811. 812. 813. 814. 815. 816				
May	14.	817.				
		Printing 700 qurs Liquor Licence	7	00.00		
		Printing 378 qurs Misc	3	78.00		
		$4083\frac{1}{3}$ Clerks reports	40	83.35		
		10000 qurs clerks deed tax sale	100	00.00		
		8½ qurs notices circ ½ note		8.50		
		425 qurs Blank forms	4	25.00		
		12 reams wrapping	1	85.00		
		100 balls twine		68.00		
		9 qurs Tally Sheets Co order		18.00	158	55 80
		Warrant 823.				
May	15.	Blanks Sundry Counties			17	92 00

Continued

	date		Warrant	$	cts
June	17	41/3 years Interest due for Los Lands 41.65	1143		
		1875 State Percent Prop for Auditor 1875.00		1916	65
		E		$ 78913	28
		Appropriation to pay State Guards for services in Pope County a sufficient Amount - Approved April 24th 1878.			
Oct	14	A. G. Bishop	2858	16050	00
	22	" " "	2928	4500	00
Nov	15	" " "	3120	1574	00
1874 Jany	16	" " "	109	9000	00
				$ 30924	98
		F.			
		Amount appropriated to erect a Lunatic Asylum Buildings Approved April 19th 1878. $ 50.000.00.			
1874 March	20	Gordan & Peay	570	10000	00
"	"	" "	611	6000	00
				$ 16000	00

Statement showing the amount of Warrants drawn on the Treasury by the Auditor commencing on the 1st day of Jan 1873 and ending on the 30th day of June 1874 the amount of appropriations made by the General Assembly of 1873. Amounts unexpended and overdrawn.
Appropriations made for salaries and expenses of the State for two years from July 1st 1873 To June 30th 1875.

Amount of appropriation Session 1873		Amounts of warrants Drawn		Amounts unexpended July 1st 1874		Amounts overdrawn appropriations.	
	Salaries Prosecuting attorneys Per Term	3700	00				
6000 00	Salaries Circuit Judges	8082	00			2082	00
20000 00	Contingent Expenses Executive department.	45012	00			20012	00
7000 00	Salary Lieut Governor	3256	94	3743	06		
	Salary Secretary State.	5250	00				
	Salary Governor	6250	00				
	Salary Auditor	4049	20				
6000 00 X	" Treasurer	4916	67	+		1083	33
	" Attorney General	4851	88				
	" Commissioner Pub works and Int Improvements	3741	00				
	" Superintendent Pub Instruction	5250	00				
	" Chancellor	3315	00				
6000 00	" Adjutant General and Expenses Office	13874	01			7874	01
	" Superintendent and Inspector Penitentiary	4108	33				
	" Commissioner Immigration and State Lands	5104	20				
	" Insurance Commissioner.	2270	00				
	" Chief Justice of Supreme Court	5625	00				
	" Associate Justice of Supreme Court	23526					
10000 00	" State Geologist and Expenses Office	11763	00	8237	00		
10000 00	Clerk hire office Secretary of State	11180	40			1180	40
16000 00	" " " " Auditor	18715	63			2715	63
30000 00	Salaries Arkansas Industrial University	15000	00	15000	00		
12000 00	Clerk hire and Contingent expenses Treasury	12920	78			920	78
10000 00	0 " " " " " Expenses Immigration and State Lands	21774	78			11774	78
8000 00	B " " " " " Pub works and Int. Impt	8229	66			3229	66
4000 00	" " " " " Superintendent Pub Instr	3277	45	722	55		
6000 00	Contingent Expenses Supreme Court	6602	13			602	13
500 00	Witnesses before Supreme Court	184	80	315	20		
50000 00	To Establish Arkansas Lunatic Asylum	16000	00	34000	00		
4000 00	Contingent Expenses Chancery Courts	3553	70	446	30		
30000 00	To pay Sheriffs and their Guards	37267	22			7267	22
	Funding Public Debt	24667	55				
2400 00	Rent of Gov Mansion	1500	00	900	00		
10000 00	Postage & various State Departments.	10272	73			272	73
		355,091	61				
1000 00	Secretary State copying acts General Assembly 73	1000	00				
	Special Judges Supreme Court	1850	00				
	Refunded Monies erroniously paid into Treasury	11643	00				
	X " " " " " paid school fund	435	20				
4000	Salary of Private Secretary	2775	00	1225	00		
	Rent Land Office	1994	48				

Continued

Amount appropriations session 1873		Amounts of warrants drawn	Amounts unexpended July 1st 1874	Amounts over drawn the appropriations
24000 00	* Salary and contingent expenses Deaf Mute Institute	23800 00	200 00	
8000 00	Deficits in Salaries &c Deaf Mute Institute	8000 00		
	Deficits in Expense of State.	32176 00		
32000 00	Expense of Blind Institute	20000 00	12000 00	
6000 00	Deficits in Expense of Blind Institute	6000 00		
	†refunded Monies erroniously paid into Treasury a/c = School Fund	456 47		
120.000.00	State Printing	143925 07		23925 07
1000 00	Supreme Court Library	500 00	500 00	
500 00	State Library	1017 63		517 63
1800 00	Deficits Office Commissioner of Claims	1800 00		
	Monies erroniously paid on a/c Sinking Fund	2674 00		
	State House repairs	17080 21		
	Clerk hire Sec'y State per Sec'd General Assembly July 1871	350 00		
	" " Auditor " " " " " " " "	317 10		
	Salary Physician Penitentiary	972 00		
	" Judges Circuit Courts	59923 27		
	Fuel and Lights	2285 65		
50.000 00	To pay Registrars 1872	5012 00		12 00
	" Clerks Immigration and State Lands	587 50		
	Prosecuting Attorneys Salaries	25045 79		
	Digesting State Laws	87343 43		
	Clerk hire Extra issuing Treasurers certificate	3799 55		
	Printing Blank Statements under Sec 4 Revenue Law 1873	126775 50		
	Clerk and Reporter Supreme Court	2000 00		
	Clerks fees for making Deeds	1801 80		
	# Salaries Officers Blind Institute	28053 69		
	Circuit Superintendent Public Instruction	14233 22		
	Costs expenses Suits in Chancery Courts	8348 40		
	Auditors fees in certain Cases	12579 00		
	Treasurers additional salary Internal Improvement Fund	327 78		
	Penetentiary Better Contract	46556 44		
	Pay of Pupils Deaf Mute Institute	32446 46		
	Amount Forwarded.	1.170.169 65		
	Wages Teachers common schools	16475 00		
	Insurance Bureau	5612 25		
	Publishing and distributing Journals General Assembly	4997 00		
	Establishing Normal College	25000 00		
	Copying Mutilated records Auditors Office	3235 00		
	State Messengers	602 00		
	Special Chancellor Pulaski Court.	1700 00		
	H. C Caldwell Examiner Legest.	4500 00		
	E W Gantt " "	7000 00		
	Refunded Monies paid a/c Levee Fund	68 87		
	Excess Fund	461 63		
	Copying mutilated records office Immigration & State Lands	2268 00		
	Relief State Guard Pope County &c	60924 98		
15000 00	Further Edition Resources Arkansas	15000 00		

Continued

amounts appropriations session 1872.		Amounts of Warrants Drawn.	Amounts unexpended July 1st 1874	Amount overdrawn the appropriation
	Fees Register and Receiver U. S. Land Office	2002 8. 86		
	Apportionment School Funds	16619 59		
	Salaries Clerks in Auditors Office	18,891 47		
	Clerks Fees in Chancery Court	12.963 45		
	Legal advertising Approved 23rd May 1874	11.954 63		
	Contingent Expenses General Assembly 1874	4895. 70		
	Monies erroneously paid on a/c county interest fund	1070 29		
	Salaries Clerks Com'r Immigration & State Lands Sec 1 act 1873	3446 48		
	Clerks in Treasurers Office Sec 1 Acts 1874	2457 90		
	Leasing and Managing Penetentiary	5274 31		
360,000 00	Expenses General Assembly 1873	360.206 57		206. 57
	Circuit Superintendent Postage and Stationery	2721 69		
	Endorsing Records and Local Laws and Sub Journal 1873	43675 00		
	Clerk Hire Office Com'r Public work and Internal Improvement	2200 00		
	Special Judges Circuit Court	1.916 60		
1500 00	Attorneys for Prosecuting Scip raisers	1.500 00		
450 00	Relief of Miranda Gibbs	450 00		
446 00	Relief of Thomas A Hanks	446 00		
	Pay of Engineers employed by Com'r Public works	2674 52		
1000 00	Pay of Catholic church at Rocky Comfort	1000 00		
	Pay of Presidential Electors 1868	16 00		
150 00	Pay for Burial of Peter Conway	150. 00		
715 00	Relief of C. C. De Wolf	715 00		
	Permanent School fund Claim of Henry Sage	14.217. 79		
	Amount Forwarded	1.992.001 28		
	Navy Warden Penitentiary	500 00		
	Store Keeper Penitentiary	583 33		
10.100. 00	Contingent Expenses General Assembly	10.000 00		
	Deficiencies against the State	3.603 71		
	To reimburse contingent fund to pay Governors Guards	19.976 89		
280 00	Costs against State in Steamer Stella Jones case	214 05		35 95
	Clerk Hire Office Com'r Immigration and State Lands	6342 50		
	Procuring and transcribing books blanks &c Sec 43 acts 1871	9598 16		
2225.00	Relief of C & Meador.	2225 00		
		$ 2,045,044 87.		

Statement Showing the amount of Warrants of the Treasury drawn by the Auditor of State from October 1st 1872 to June 30th 1874 the amount of former appropriation unexpended October 1st 1872: the amount of appropriation made by the General Assembly of 1873 and 1874 and the unexpended ballances of said appropriations.

Amount of appropriations unexpended Oct 1st 1872		Amount appropriated by Gen Assembly 1873. & 1874.			Amount of Warrants Drawn		Amount unappropriated June 30 1874	
3730	56			Salary of Governor	4500	00	6230	56
		7000	00	" Lieut Governor	2916	66	4083	74
1210	10			" Governors Private Secretary	3155	67	1054	43
3002	78	6000	00	" Secretary of State	6000	00	3002	78
6000	00	6000	00	" State Treasury	5666	00	3333	33
200	00	400	00	" Same on account Int. Imp fund.	377	78	222	22
2625	00	7000	00	" Attorney General	5726	38	3898	62
2250	00	6000	00	" Auditor of State	4799	20	3450	80
2602	66	6000	00	" Commissioner Pub works and Int-Impr	4491	00	4111	06
3511	12	7000	00	" Commissioner of Immigration and State Lands	7000	00	3511	12
1759	72	7000	00	" Superintendent of Public Instruction	6125	00	2634	72
2250	00	6000	00	" Superintendent of Penitentiary	4250	00	3000	00
750	00			" Board of Inspection Penitentiary	748	33	8	33
4800	00	520	00	" State Geologist and expenses of his Office	2568	00	2252	00
		500	00	" Insurance Commissioner	2270	83	2729	17
2634	58	7000	00	" Chancellor Pulaski chancery Court	4190	76	5443	82
1179	48	3200	00	" Clerk and Reporter Supreme court	2400	00	1979	48
16903	42	41000	00	" Justices of Supreme Court	36401	00	21502	42
		1900	00	" Special Judges Supreme court	1960	00		
34605	19	112000	00	" Judges of Circuit Courts	78346	27	68258	92
2386	47	9602	29	" Prosecuting Attorneys	32971	76		
4045	85	28908	94	" Officers of Blind Institute	32949	79		
				Amounts forwarded	267780	03		
		24000	00	Salaries and contingent expenses of the Deaf Mute Institute	23800	00	200	00
20988	22.			Salaries of circuit superintendents of Public Instruction (Sub 1 Sec 1 General Assembly 1871)	20988	22.		
9623	72	6000	00	Salary of the Adjutant-General and expenses of his Office	15623	72		
64404	60	30000	00	Salaries and contingent Expenses of Arkansas Industrial University	21404	60	15000	00
		1700	00	Salaries of the Special Chancellor Pulaski County Court.	1700	00		
4570	34	55000	00	Contingent Expenses of Executive Department	56306	44	3263	90
		1800	00	Deficits in Office Commissioners & Claims	1800	00		
		15000	00	Expenses of Geological Survey (Act April 25th 1873)	10570	00	4430	00
1978	18	11250	00	Clerk hire and Contingent expenses Office of Secretary of State	13228	18	69	90
		350	00	Clerk hire in Office of Secretary of State under (Sub 1 Sec 1 General Assembly 1871)				
3732	67	12000	00	Clerk hire and Contingent expenses in Office of Treasurer of State	13020	78	2711	98
25	71	19500	00	Clerk Hire and contingent expenses in Office of Auditor of State and Deficits of same	18791	34	734	37

Continued

amount of appropriations unexpended Oct 1st 1872		Amounts appropriated by Genl assembly 1873-1874			amount of Warrants Drawn		amount unappropriated June 30th 1874.	
				Clerk hire and contingent expenses in Office of				
6641	79	10000	00	Commissioner of Emigration and State Lands.	16641	79		
		19956	13	Clerk hire in Office of Commissioner of Emigration and State Lands (under Sub 1 General Assembly 1871 & 1873.	19956	13		
1755	30	4000	00	Clerk hire and contingent expenses in Office of —				
				Superintendent of Public Instruction.	4307	75	1427	55
9297	92			Clerk hire Office of Commissioner of Public works and Incidental Improvement (Act of July 23rd 1868)	9297	92		
		5000	00	Clerk hire and con expenses Office of Comr Public works and Ink Smith	5153	30	153	30
80	89	8000	00	Contingent Expenses of the Supreme Court and Deficit in same	6602	13	1428	76
899	37	2400	00	Rent of Governor Mansion	1800	00	1499	37
503	25	500	00	State Library	1017	63	14	38
500	00	1000	00	Supreme Court Library	1000	00	500	00
2264	07			Fuel and Lights for various departments	2200	25	63	82
1858	88			Postage and Stationery (Act of Mar 21st 1871)	1858	88		
		10000	00	Postage and Stationery for various departments	10272	73	272	73
				Amount forwarded	85454	66	82	
		A. 15000. appropriated by Genl assembly 1874. incl. d. B. 1250. deduct appropriation G A 1874 included.						
3122	61	14000	00	State House Repairs	17080	21	42	40
		4786	62	G. P. & Rumbough for services as Engineer	4786	62		
		150	00	Burial of Peter Connory deceased	150	00		
		1860	80	Clerks fees for making deeds Sec 128 Rev Law 1873	1860	80		
		715	00	Relief of H. C. De Wolf.	715	00		
12	00			Expenses of Registration Act of 1871	12	00		
14217	79			Permanent School fund	14217	79		
24952	42	120000	00	State Printing	145925	07	1027	35
		4367	50	Publication distribution and indexing Journals of General Assembly and other public documents	4367	50		

Continued

Amounts appropriated not expended Oct 1st 1872		Amounts Appropriated by Gen'l Assem'y 1873 & 1874			Amount of Warrants Drawn.		Amount unappropriated June 30/74.	
9000	00	32000	00	Current expenses of the Blind Institute	29000	00	12000	00
		6000	00	Deficit in current expenses of Blind Institute	6000	00		
		8000	00	Deficit in salaries and contingent expenses of the Deaf Mute Institute.	8000	00		
		40881	28	Expenses of preparing and issuing State Treasurer certificate	41881	28		
		28110	00	Clerk hire in Office of Auditor of State under Sub 1 Sec 1 General Assembly. 1871-. 1873.				
42548	00			Pay of Physicians on Deaf Mute Institute	42584	46		
		11643	13	Refunded money erroneously paid into the State Treasury	11643	13		
		747	00	Refund wages erroneously paid into the State Treasury on a/c Int-Improvement-fund.	247	00		
		435	25	Refund wages erroneously paid into the State Treasury on a/c common school fund	435	25		
		489	76	Refund wages erroneously paid into the Treasury on a/c of permanent school fund	2674	48		
		68	87	Refund wages erroneously paid into the State Treasury on a/c Seed Fund	68	87		
26447	92			Expenses of Funding the Public Debt Act of April 12th, 1869	26447	92		
		20,000	00	Expenses of securing and management of the Penitentiary Act of March 15th 1873.	5274	31	14725	69
1320	00	2000	00	Rent of Office Asst-Pub Inst-Atty General Asst Commissioner of Pub works and Int-Imp	7384	48	946	52
				Amount forwarded	976120	36		
100	00	1000	00	"E" Pay of Prosecuting Attorneys Fees &c	3800	00		
		4200	00	Sheriffs and their Jeuards conveying Criminals to the Penitentiary and Jurors in same	3726	22	4732	78
		1500	00	Attorneys for Prosecuting Leigh Raiders	1500			

Continued

Amounts appropriations unexpended Oct 10th 1872.	Amounts appropriated by Gen Assembly 1873-1874			Amount of Warrants Drawn		Amount unappropriated June 30 1874	
	450	00	Relief of Amanda Gibb	450	00		
	4000	00	Expenses of Separate Chancery Court.	3553	70	446	30
16475	00		Pay of Teachers and other Officers of Public schools Sec 15 of School Law 1871	16475	00		
461	63		Excess Fund to pay Excess on Lands sold for Taxes	461	63		
	50000	00	Pay of Registrars for 1872	50000	00		
	446	00	Relief of Thomas A Hanks	446	00		
	1000	00	Pay for Catholic Church at Rocky Comfort destroyed by Militia	1000	00		
	2674	52	Relief of D W Lear and George M. French Engineers Contingent Expenses of General Assembly (Act of June 21st 1873.)	2674			
				10000	00		
	360,000	00	Per diem Mileage and expenses General Assembly 1868.	360206	37	206	37
	5000	00	Contingent Expenses General Assembly 1874	4895	70	104	30
	214	05	Per diem allowed against State in the Nettie Jones Case.	214	05		
	2225	00	Pay of E D Meador for services investigating Boundary line between State and Indian Territory	2225	00		
127345	61		Entire Control of the State Penitentiary Acts of March 28th 1874	127345	61		
	126775	32	Diem Pay Contingencies of Revenue Law	126775	32		
1610	80		Electors for the year 1868	466	00	1144	80
	60924	98	Relief of State Guards	60924	98		
	5666	31	Receipts and Expenditures Insurance Bureau	5392	80	273	51
3603	71		Judgements against the State.	3603	71		
	88493	48	Digesting the State Laws	88493	48		
4.999			Exhaustive and Publication of Printed Forms of Criminals of General Assembly Act Mar 26 1874	4997	00		
	20038	86	Registers and Receivers of U S Land Offices for locating State Lands.	20038	86		
6	00		Pay of Militia in 1868.			6	00

Continued

Amount appropriation unexpended Oct 1st 1872.		amount appropriated by General assembly 1873.			Amount of Warrants drawn.		Amount unappropriated June 30th 1874	
		194.313	31	Apportionments of the School Fund	194.313	31		
		11.943	43	Procuring and Transmitting Pay Books &c (under Section 43 Revenue Law of 1871)	11.943	43		
				Amount Forwarded	2115.384	22		
E				To be deducted from the pay of regular prosecuting attorneys.				
		500	00	Witnesses before the Supreme Court	184	80	315	20
		50000	00	To Establish State Lunatic Asylum	16000	00	34000	00
		1000	00	Secretary of State for Copying Acts	1000	00		
42		32.176	08	Deficits and Expenditures of State and to sustain the State Credit	32176	08		
		10.000	00	Cost and expenses of suits in Chancery Court	8348	80	1651	20
		74	65	Postage and Stationery for Circuit Superintendents of Public Instruction.	74	65		
		12,579	00	Auditor fees in certain cases.	12.579	00		
		25.000	00	To Establish a Normal College	25000	00		
		5000	00	Copying Mutilated Records in Auditors Office	3235		1765	00
		602	00	State Messengers as per Election Law of 1868	602	00		
26								
	1500	00	3000	00	Compensation of Examiner of Deeds	4500	00		
	5000	00	2000	00	Compensation of Register	7000	00		
		5000	00	Copying Mutilated Records in the Office of Commissioner of Immigration and State Lands	2263	00	2737	00
13								
		15000	00	Further Edition of Resources of Arkansas.	15000	00		
		12.963	45	Fees of Clerks and Chancery Courts Sec 2838 Chap 59 Gantts Digest	12963	45		
10		11.954	00	Legal advertising and Official Newspapers (act May 23rd 1874	11954	91		
		2457	90	Clerk hire Treasurers Office (under Sub. Sec 1. General Assembly 1873.	2457	90		
		1070	29	Refund bonds erroneously paid into State Treasury on a/c County Interest Funds	1070	29		
					2.271.793	30		

Total Amount -

* Appropriations of sufficient amount figures in red ink show amount overdrawn

Continued.

Amount appropriation unexpended Oct 1st 1872	Amount appropriated by General Assembly 1873. 1874		Amount of Warrants Drawn		Amount unappropriated June 30 1874	
		Contingent Expenses of Executive Department	500	00		
	50000 00	Expenses of Militia for defence of State property and enforcement of the Laws under Sec 11 Chapter 16 of Gould's Digest	50000	00		
	40.000 00	Pay Expenses of Militia and General Assembly of 1874 and appropriation and disbursement of the same vide $200.000. Sub-division 1st Per diem, Mileage and expenses of members and Officers of the General Assembly.	33.042	38	6.957	62
	40.000 00	Sub-division 2nd Pay of Officers and Soldiers of the Militia.	12.646	63	27.353	37
	90.000 00	Sub-division 3rd Subsistance Ordinance and Ordinance stores, & M & Stores. Transportation Property taken and pay of Militia Board.	37.406	88	52.293	12
	10.000 00	Sub-division 4th Pay of Arkansas State Guards Contracted in Error	24	33	9.975	67
	20.000	Sub-division 5th To pay Money borrowed and funds actually expended and assumed on 4th recent Insurrection.			20000	00
		Total Amount	2.405.713	52		

Which Reports and accompanying documents were on motion of Mr Killgore laid on the table and 200 Co ies ordered printed.

Mr Murphy of Jefferson and Mr Copeland of Crittenden appeared in their seats and answered to their names.

Mr Eakin moved that Mr Blackwell be added to the Committee on Municipal and Private Corporations. Carried

Mr Garland of Nevada Chairman of the Standing Committee on "Franchise and Elections", made the following report-

Mr President

The Standing Committee on "Franchise and Elections" to whom was referred that division of the Constitution relating to the subject of "Franchise and Elections" have had the same under consideration together with the different suggestions and propositions which have been referred to them pertaining to the subject; and ask leave to submit the following as the result of their deliberations and ask that they receive a favorable consideration from the Convention, as provisions suitable to be engrafted on the Constitution, to wit:

Franchise and Elections.

Sec 1. Every male citizen of the age of twenty one years, who has resided in the State twelve months, and in the County six months and in the voting precinct or ward one month next preceding any election where he may propose to vote, and who shall within the year next preceding the election, have paid a poll tax to the proper Officer shall be entitled to vote for all Officers that are now, or may hereafter be elected by the people.

Sec. 2. Each voter shall give to the Judges of election, when he offers to vote satisfactory evidence that he has payed his poll tax at the last time of payment preceding the election. Provided, that all male Citizens who shall have arrived at the age of twenty one years since the last assessment of the Poll tax shall be allowed to vote.

Sec. 3. All elections shall be by ballot. Every ballot shall be numbered in the order in which it shall be received, and the number recorded by the Election Officers on the list of voters opposite the name of the elector who presents the ballot. The Election Officers shall be sworn or affirmed not to disclose how any elector shall have voted, unless required to do so as witnesses in a Judicial proceeding

Sec. 4. Electors shall in all cases except treason, felony or breach of peace, be privileged from arrest during their attendance at elections and in going to and returning from the same.

Sec 5. No idiot or insane person shall be entitled to the privileges of an elector.

Sec. 6. Any person who shall while a candidate for office, be guilty of bribery, shall in addition to any penalty for violation of any election law shall be forever disqualified from holding any office of trust or profit in this State. Any person convicted of wilful violation of the election laws shall in addition to any penalties provided by law, be debarred of the right of suffrage absolutely for a term of four years.

Sec. 7. No soldier, sailor or marine in the military or naval service of the United States shall acquire a residence by reason of being stationed on duty in this State.

Sec. 8. The General elections shall be held biennially on the first Monday of September, but the General Assembly may by law fix a different day, two-thirds of all the members of each house concurring thereto.

Sec. 9. In trials of contested Elections and in proceedings for the investigation of Elections no person shall be excused or withheld his testimony, upon the grounds that he may criminate himself or subject him to public infamy but such testimony shall not be used against him in any judicial proceedings, except for perjury in giving such testimony.

Sec. 10. No person shall be qualified to serve, as an Election Officer who shall hold at the time of the Election any office appointment or employment in or under the government of the United States, or of this state, or any city or county, or any municipal Board, Commission or Trust in any city save only the offices of the Peace, and Alderman, Notaries Public - and persons in the Militia service of the State. Nor shall any election Officer be eligible to any civil office to be filled at an Election at which he shall serve save only to such subordinate, municipal or local offices below the grade of city or county officers as shall be designated by General Law.

Sec. 11. Any person who shall give or promise or offer to give to an elector any money - reward or other valuable consideration for his vote at an election or for withholding the same or who shall give or promise to give such consideration to any other person or party for such elector vote, or for the withholding thereof, and any elector who shall receive or agree to receive for himself or for another, any money or reward or any other valuable consideration for his vote at an election or for withholding the same shall thereby forfeit the right to vote at such election and any elector whose right to vote shall be challenged for such cause before the election Officers shall be required to swear or affirm that the matter of the challenge is untrue before his vote shall be received.

(Such an motion was laid on the table and Gov Pennypacker requested.)

Mr Flanigan Chairman of the Judiciary made the following report on the Resolution regulating the issuance of State Scrip,
Which report on motion of Mr Rector of Garland was laid on the table.

To the President and Members of the Constitutional Convention of Arkansas.

The Judiciary Committee having had under consideration the resolutions regulating the issuance of State scrip, herewith return the same and beg leave to report as follows viz:

The members of the Committee do not concur in defining the Powers of this Convention, but they do agree that a prudent rule for determining the measure of their Powers, is to take the Act under which they have been assembled.

The Act of the Legislature provides for a Convention "for the purpose of framing a new Constitution and providing for putting the same into force".

The Convention may exercise any Power incidental to framing a Constitution and putting the same in force. They may provide for submission of the Constitution framed by them to a vote of the people for ratification or rejection for the election of Officers and the organization of a government under such constitution if ratified. If the existing laws are so administered as to defeat or destroy the government which may be organized under the new Constitution this Convention may by Ordinance remedy the evil; which we disapprove. Before legislation by this Convention, we are of the opinion that the Convention may properly by ordinance, stop the excessive issuance of State-Scrip, if the Convention deem it a measure absolutely necessary to the life of the Government which may be organized under the Constitution framed by them; and that the passage of an Ordinance under such circumstances would be but the exercise of a Power incidental to the main Powers of the Convention under the Act convening them.

Mr Thomason of Crawford then offered the following resolution, viz.

Resolved, That the Public Printing and all the other Public work for the State should be let by contract to the lowest bidder, and that all work of a Public character to be done for the several Counties should in like manner be let to the lowest bidder.

= which was adopted.
Mr Eyker of White then offered the following resolution.

Whereas, in the present condition of public finances the convention is not prepared to order the publication of its debates and proceedings, while at the same time the preservation of a full record of such debates and proceedings is not merely required by universal custom, but conducive to the rapid and economical transaction of business, and indispensable to the future judicial construction of the Constitution.

Resolved, That a committee of three be appointed by the chair to ascertain and report the probable cost of procurement and transcription of such record, for permanent preservation and reference.
Which was adopted and the President appointed as such committee. - Messrs Eyker Lisle and Bailey.

Mr Williams of Shark, then offered the following resolution

Resolved, That the Finance Committee be requested to report at its earliest convenience the ways and means by which the actual expenses of this Convention may be defrayed

Which was referred to the "Committee on Finance"

Mr Barnes of Pulaski then offered the following resolution

Which was reffered to the "Committee on Judiciary"

Whereas - The charters of the various Railroads herein after named only exempt from Taxation the Capital stock and dividends thereon; and the fixtures and appurtenances of the Rail Road including the workshops warehouses and vehicles of transportation, and

Whereas, Their charters fail to exempt the lands granted to them by the United States and this State from Taxation and,

Whereas, It is but just and right to the Tax-ridden people of this State, that Corporations, that have large and valuable franchises, immunities and privileges from the State shall pay taxes; therefore,

Be it Resolved, That a Tax in kind be levied and collected in each County, upon the Land of the "Cairo and Fulton Railroad Company. the Little Rock and Fort Smith Railroad Company. the Memphis and Little Rock Rail Road Company. the Little Rock and Pine Bluff and New Orleans Rail Road Company. the Mississippi, Ouachita and Red River Rail Road Company. the Arkansas Central Rail Road Company; and all other Rail Roads that are now or may hereafter be built in this State; Com-

same as upon other property Provided, that there shall be no Tax levied upon their capital stock, road bed, depots, Ware-houses, Fixtures, workshops and Vehicles of transportation, until the expiration of the time of their exemptions express in their respective charters,

Be it further resolved that there shall be levied and collected upon all Rail Roads in this State, an annual Tax of four per cent on their gross receipts for the transportation of freight and passengers (not including amounts received from and taxes paid to the United States) said tax to be collected in the whole road in the County in which the Rail Road has its principal Office.

Mr Stevens, of Cuyahoga then offered the following Resolved,

That the Auditor of this State be instructed not to issue any Warrant or certificate to the Committee from the Senate of the last session appointed to investigate the books of the Auditor and Treasurer for any service rendered by themselves or their Clerks or for any other purpose connected with such investigation from and after this date.

Mr Jones, of Dusha offered a substitute which was declared out of order.

The Resolution after some discussion was made the special order of the day for Thursday at 10 o'clock a.m.

Mr Kirkbride of Sebastian then offered the following resolutions which was laid on the Table and made the special order for next Saturday

Whereas there exists in the minds of many very grave doubts as to whether the Officials of Arkansas were elected by a majority of the men who under our peculiar mode of registration were permitted to vote at the last Elections in this State and,

Whereas there exists in the minds of all no one any doubt that those Officials were not elected by a majority of all the people of the State who should have had the right to vote, and

Whereas, the investigation now in progress before the Committee of the United States House of Representatives sitting in this city, has been clearly proven that the Returns made with in the power of manipulators of our ballot Boxes, disregarded the rights of

the voters at the late elections is equaled only by the recklessness with which they are day by day publishing and confirming and emphasizing their own infamy and degradation with their own oaths, and,

Whereas, during that same investigation it has also been established beyond all controversy that if the people of Arkansas on this the first occasion since reconstruction at which they have had an opportunity of a free expression of their wishes had failed to declare with such unprecedented unanimity in favor of a new constitution, they would have been unworthy the name of American Citizens and,

Whereas By the unparalleled vote given to one they have declared at once the utter disgust with the old and a desire for innovation to have a new order of things, and,

Whereas, It is well established Principles that the people is and should be the Supreme Law of the Land and,

Whereas This Convention has been called together in pursuance to that supreme will and is invested of the people of Arkansas, in deed it is by the enlightened public sentiment of the entire Union that it will take upon itself whatever responsibility and assume whatever power may be necessary to meet the emergency and,

Whereas It is the duty of this Convention in response to this unanimous and eloquent appeal of the people for a full release from their present distressed condition to a duly constituted remedy the direct demands as earlier as practicable and at whatever hazard, therefore and in order that Arkansas may once more be governed by Officials of her own Choice,

Resolved By the people of Arkansas in Convention assembled, That at the election to be held for the ratification of this Constitution, there should also be held elections for all Officers provided for in this Constitution from Governor down to Justice which is constable, and that the Official terms of all elected officers should expire as soon as their successors are elected and qualified under such election and the Committee on the Schedule and Ordinances are hereby instructed to report a provision accordingly.

Mr Thompson of Crawford then introduced the following Resolution, which was referred to the "Committee on Miscellaneous Provisions."

Resolved, That the Official Census of all the Officers of the

State except Supreme and Circuit Judges should be limited to two years, and, that the Governor and all the State Officers, the Supreme and Circuit Judges, and members of the General Assembly should be made ineligible to any other Office State or Federal within the gift of the People or of the General Assembly during their respective term of Office.

Mr. Dunn, of Ouachita, then offered the following viz:

Resolved, "That the Sergeant-at-arms of this Convention be instructed to have erected, over the windows of this hall awnings to protect the members from the rays of the Sun; that they may proceed with said dispatch with more rapidity and comfort the business before them."

Mr. Hughes, of Monroe moved to amend by adding thereto

"and have the window sash all taken out."

adopted.

The Convention then at 12 o'clock and 30 minutes adjourned until Wednesday Morning at 9 o'clock.

Granderson D. Royston

President pro tem

Thomas M. Newton

Secretary.

Wednesday
9 o'clock a m
July 29th A D 1874.

The Convention met pursuant to adjournment.

The Roll was then called and the following named members answered to their names.

Anderson, of Lee. Anderson, of Independence. Berry. Blackwell. Bywaters, of Baxter. Crowley. Carter. Conway. Craighead. Crittenden. Cross. Dodson. Eichbaum. Eagle. Fishback. Goodwin. Horton. Johnson. Kelley. Lester. Mansfield. Pattison. Poynter. Ross. Sorrels. Trimble. Trowbridge. Williams, of Chicot. Williams, of Shark. Walker. Bailey. Brown. Bywaters, of White. Carter. Dickey. Dickinson. Dinsmore. Dorsey. Gibson. Hamilton. Hinds. Hudson. Howell. Killgore. Lucas. Mosley. Nixon. Perkins. Rogers. Reinhardt. Smith, of Calhoun. Washington. Little River. Pike. Bunch. Bunn. Bates. Cofeeland. Carroll. Dixon. Dakin. Gibson. House. Hawkins. Johnson. Kinsworthy. Lindsey. Mosby. Pennington. Pulliam. Rector. Stanley. Thomason, of Crawford. Williams, of Jefferson. Williams, of Union. President.

After the call of the roll Mr Barnes of Pulaski asked that Mr Butler be excused on account of sickness which was granted.

Mr Bunn of Ouachita also obtained a leave of absence for Mr Dixon, of Ouachita on account of sickness.

The following named members failed to answer to their names after the call of the roll.

Boswell. Hughes. Smith, of Lafayette and White.

Prayer by the Chaplain.

The Journal of the proceeding day was then read and approved.

The Convention then took up the unfinished business of yesterday, viz the Consideration of the Petition presented by Mr Scott, by Pope, which is as follows.

To the Constitutional Convention of the People of the State of Arkansas now in session.

Your Petitioners citizens of that portion of Johnson County in said State taken from the County of Pope and attached to said County of Johnson by an "Act" (or pretended "Act") of the General Assembly of said State approved 1871 Represents that they are informed and believe that said "Act" was not passed in accordance with the Constitution and Laws of said State, that said "Act" was only read by "title" in an "Act" to define the lines between said Counties of Johnson and Pope that the line as defined by said "Act" comes within three miles of Dover, the County seat of said County of Pope That the same was passed without the knowledge or consent of Your Petitioners and contrary to the wishes of the citizens of said district or territory; that said "Act" we are informed and believe was passed for the purpose as has been avowed of obliterating said County of Pope at the instigation of Corrupt and unprincipled Partisans.

The premises considered we ask your honorable "Body" to restore said territory to said County of Pope; and in duty bound your Petitioners will ever pray.

E Cockrill
Leon Cockrill
J. J. Moore
Thomas Bynum
C. L. Isbell
Amos Moore
and 95 others

Mr Powell of Johnson then offered the following resolution to be considered with the petition:

Inasmuch - as there is now before this Convention a petition of a small number of the citizens of Pope and Johnson Counties asking to have that part of Johnson County restored to Pope which had by a Legislative Act formerly been taken from it and now known as Martin Township (Johnson Co) containing some 70 or 80 voters and inasmuch as Johnson County has been shorn of all that part of her Territory lying south of the Arkansas River containing 4 or 500 voters to make a part of Yarber County and thereby curtailing her boundary to perhaps less than the Constitutional requirement of Mileage Therefore be it

Resolved - That this convention right not change or alter the boundary lines

of said County unless it be upon Petition filed by a majority of the voters of said County of Johnson.

The petition and resolution was then referred to the Committee on "Counties, County seats and County lines".

Mr. Smith, of Lafayette, Mr. Hughes, of Monroe, Mr. Driesell, of Jackson, Mr. White, of Phillips, appeared in their seats and answered to their names.

Mr. Berry, of Boone, presented the following petition viz:

Harrison Arkansas
July 23d 1874

To the Hon. Convention of Arkansas -

The undersigned members of the bar of the now 5th Judicial circuit thinking that the Convention by Schedule will redistrict the State to expedite the general business of the same would respectfully submit this their petition to your Honorable Body that in case the same should be done, the following named counties be incorporated in said now 5th Judicial Circuit to-wit- Carroll, Boone, Newton, Marion Searcy, and Baxter, and if the district should be extended in consequence of the abolition of offices which we deem expedient to add Fulton Izard and Stone.

Very Respectfully

Frank Wilson
H. K. Wilborn
W. S. Strong
Jno. B. Chambers

and twenty other members of the bar

Which was referred to the "Committee on Judiciary."

Mr. Eakin, of Hempstead then offered the following

Resolved.

That the Judiciary Committee be requested to inquire into the expediency of establishing Separate Chancery Courts throughout the State, and investing the same with Probate jurisdiction, and that said Committee report their opinion thereon at as early a day as possible, to the end that the sense of this Convention may be obtained, and said Committee instructed thereby in framing a Judiciary system to be recommended as a part of the Constitution

Which after some discussion on motion of Mr. Fellgore, of

- Columbia, was laid upon the table.

Mr. Scott, of Pope then offered the following resolution, viz:

Whereas it has been represented that the Little Rock and Ft. Smith Rail Road company are largely indebted for labor done and performed in the construction of said road, and for material and supplies furnished, and

Whereas, many good hard working and honest men are almost ruined and broken up by the non-payment of sums of money due them for their labor on said road as well as for material and supplies furnished said Rail Road Company in the construction of the same, and that ~~said state~~ some remedy may be prescribed for redress. Be it therefore,

Resolved, That the Committee on Rail Roads and Internal improvements be requested to ascertain what amount of interest the State has or owns in said Rail Road if any, the amount of their assetts and liabilities, and the means of liquidating their indebtedness to laborers and other parties who have advanced material and supplies in its construction and the propriety of making some constitutional provision securing to them a lein upon said Rail Road, the rolling stock or property of said company, and to prevent the sale transfer or conveyance thereof to other parties with a view to defraud or procrastinate the payment of their liabilities, and further to secure and enforce the payment for damages in killing, crippling, or wounding stock or persons.

Mr Reeder of Garland moved that the resolutions be referred to the committee on judiciary.

Which motion was lost.

The resolutions were then on motion of Mr Scott of Pope referred to the committee on Rail Roads and other Internal Improvements.

Mr Johnson of Columbia then offered the following resolution, as a substitute for the report of the Committee charged with the investigation of the Lincoln County contested election case which is as follows viz:

Resolved by the convention that Thomas C Romney the contestant in the Con, is entitled to the seat as a delegate from the county of Lincoln,

After some discussion the question recurred

upon the adoption of the substitute.

The "ayes and noes" were called for.

The call was sustained.

The Secretary then called the Roll and the following named members voted in the affirmative viz:

Messrs. Blackwell Brown Brown (Cypress of Baptist) Dunaway Elmore Johnson Joyner. Rector Thomas (of Washington) and Tritt.

The following named members voted in the negative. viz:

Anderson (of Lee), Anderson (of Craighead) Beach Butler (of Independence) Berry Bailey Brown Barnes Bates Bryant (of White) Copeland Cunningham Crowley Cypert Carroll Cabler Carter Eagle Chism Downs Dowell Dodson Eaton Eagle Flanagin Fishback Gibson Garland Gulley Goodwin House Hampton Harrison Hughes Hawkins Hamm Harrell Jones Kilgore Kelley Kusworthy Lipsey Lucas Lester Lindsey Lake Mosely Mansfield Murphy Miller Moore Patterson Pierce Perkins Prewett Pulliam Polk - Rogers Ross Rutherford Reinhardt Simonds Scott Smith (of Lafayette) Smith (of Saline) Sorrels Thomason (of Crawford) Thompson Williams (of Jefferson) Williams (of Little River) Williams (of Izard) Williams (of Union) Yaeger and Mr President

In the affirmative	12 Votes
In the Negative	75
Not Voting	4
	91

On the substitute was lost.

Mr. Stanley of Dare sent to the secretarys desk the following explanation of his vote.

"I vote aye, for the following reasons. That I wish all persons to have the right to vote as they wish without fears or intimidation and that all such proceedings should be forever stopped.

The question then recurring upon the resolution offered by the committee to wit" That the sitting member is entitled to retain his seat.

Upon the question being put the same was adopted.

Mr Jones of Bertie then offered the following resolution. Viz.

Resolved

That no state county or municipal Corporation shall pass any law or laws levying or exacting a tax on one business or occupation more than another business or occupation unless said business or occupation has first been declared inimical to public interest or a nuisance, by a Court of competent jurisdiction

Which was refered to the Committee on Judiciary.

After several motions being put the convention 11 oclock and 40 minutes adjourned until tomorrow morning at 9. oclock

Wm Thomas W. Newton
Secretary

Wm. H. Ruffin
President

Thursday.
9 o'clock a m.
July 30th. A D 1874.

The Convention met pursuant to adjournment.

The roll was called and the following named members answered to their names.

Anderson, of Lee. Anderson, of Craighead. Birch. Butler, of Independence.
Busby. Bailey. Burns. Blackwell
Brown. Bates. Bowen. Bynum. Baxter
Bynum, of White, Copeland Cunningham. Crowley.
Custer. Carroll. Cabler. Carter Cagle
Chrisp. Dunn. Dunaway. Doswell. Dodson.
Eakin. Eagle. Flanagen. Ferguson. Fishback.
Gibson. Garland. Goodwin. House. Harrison
Horner. Hughes. Hawkins. Hanna. Howell.
Johnson. Jones. Kilgore Kelley Kinsworthy
Leiper. Luten. Lindsey. Lake. Mosley.
Overby. Miller. Nixon. Patterson. Penney.
Price. Parrott. Pulliam. Polk. Rogers.
Ross Proctor. Rutherford Kennard. Smoot.
Stanley Smith, of Lafayette, Sorrels. Thomason, of Crawford
Thomason, of Washington. Williams, of Jefferson. Williams, of Izard.
Williams, of Union. White Walker. Witt and Mr President.

The following named members failed to answer to their names at the call of the roll, to wit;

Barnes. Gulley. Hamilton. Joyner. Lucas.
Mansfield. Perkins. Scott. Smith, of Saline
Thompson & Williams, of Little River.

Prayer by the Chaplain.

Messrs Barnes. Gulley. Hampton. Joyner. Lucas.
Mansfield Perkins. Scott. Smith, of Saline.
Thompson & Williams, of Little River.
appeared in their seats and answered to their names.

Mr Fairchild introduced the following resolution, viz:

Resolved, That the General Assembly shall fix the salaries of all the Officers in the State, at its first session after the adoption of this Constitution and the payment of any greater Salary to any Officer or employee, than that fixed by Law or in evidence of debt at any other rate than at par value shall be a misdemeanor and punished as provided by Law

But part of said punishment shall be a disqualification to hold any Office in this State for the period of not less than ten years.

Which was referred to the "Committee on Finance"

Mr Cypert of White, Chairman of select committee made the following report; viz:

To the President of Convention -

Your committee to whom was referred the subject of cost of a full stenographic report of the proceedings of this Convention respectfully report:

That we have had the matter under consideration and ascertained from the reports of the debates and proceedings of the Convention of 1868 - That; the reporting cost the sum of $2582 16/100 - but, the same amount of reporting can now be done for $2000 - That the probable cost of Reporting the proceedings and debates of this Convention will be from $1500 to $2000 -

Your committee therefore respectfully submit and recommend the adoption of the following order by the Convention.

Ordered, that the Secretary of this Convention be and is hereby authorized and directed to contract with a competent stenographic reporter to report at the usual rate of Compensation, the debates and proceedings of this Convention, and transcribe the same as a record for preservation in the Office of Secretary of State and if publication shall be ordered to edit the work and supervise such publication, and said contract shall be sufficient warrant to the Secretary of State to audit the accounts of such reporter for labor completed and the Auditor therefor to issue his warrant for the amount of such accounts and the Treasurer to pay said warrants in accordance with the terms of said Contract Provided, that nothing herein contained shall authorize any expenditure for the printing in any form, all or any part thereof at the cost of the State. And Provided further, that said reporter shall furnish to any Delegate during the session of this Convention a transcript of debates, without charge, either to the State or said Delegate.

The question recurred upon the adoption

of the resolution offered by the Committee.

The "Ayes and Noes" was called for and the call sustained.

The Secretary proceeded to call the roll and the following named members voted in the affirmative,

Cypert, of White. Copeland. Downs. Hughes. Jones. Lisper.
Perkins. Smith of Lafayette. Williams, of Jefferson.
& Mr President

The following named members voted in the negative. viz:

Anderson, of Lee, Anderson, of Craighead, Branch. Butler, of Independence
Butler, of Pulaski. Berry. Bailey. Brunn. Barnes.
Blackwell. Brown. Bates. Bowen. Cypert, of Baxter.

Cunningham. Crowley Custer. Garrott. Gabler.
Carter. Cagle. Chism. Dunaway. Dowell.
Dodson. Eakin. Eagle. Flanagen. Feebback
Gibson Garland. Gulley. Goodwin. House.
Hampton. Harrison. Horner. Hawkins. Hanna.
Howell. Johnson. Joyner. Killgore Kelley
Kinnworthy Lucas. Lester. Lindsey. Lake.
Mosley. Mansfield. Murphy. Miller Price.
Patterson. Pumkney. Pierce. Parrott. Pullcain.
Polk. Rogers. Ross. Rector. Rutherford.
Reinhardt. Smoot. Stanley. Scott. Smith, of Saline
Israels. Thomason, of Crawford. Thomason, of Washington
Thompson. Williams, of Little River. Williams, of Sharp
Williams, of Union White. Walker Witt.

Mr Killgore chairman of the Committee on Apportionments made the following report.

Mr President, and Delegates of the Convention.

Your Committee on Apportionments

beg leave to make the following report:

Sec 1. The House of Representatives shall consist of not less than seventy three nor more than one hundred Representatives. Each County now organized shall always be entitled to one Representative. Among the several counties according to the number of Adult Male Inhabitants, taking two thousand as the ratio. And until the enumeration of the inhabitants is taken by the United States Government, A.D. 1881, the Representatives shall be apportioned among the several counties as follows =

The County of Arkansas shall elect one Representative.

The County of Ashley shall elect one Representative;

The County of Benton shall elect two Representatives,

The County of Boone shall elect one Representative.

The County of Bradley shall elect one Representative,

The County of Baylis shall elect one Representative,

The County of Calhoun shall elect one Representative,

The County of Carroll shall elect one Representative,

The County of Chicot shall elect one Representative,

The County of Columbia shall elect two Representatives

The County of Clark shall elect two Representatives.

The County of Conway shall elect one Representative,

The County of Craighead shall elect one Representative,

The County of Crawford shall elect one Representative

The County of Cross shall elect one Representative,

The County of Crittenden shall elect one Representatives.

The County of Clayton shall elect one Representative

The County of Dallas shall elect one Representative

The County of Desha shall elect one Representative,

The County of Drew shall elect one Representative,

The County of Dorsey shall elect one Representative

The County of Franklin shall elect one Representative,
The County of Fulton shall elect one Representative,
The County of Faulkner shall elect one Representative,
The County of Grant shall elect one Representative,
The County of Green shall elect one Representative,
The County of Garland shall elect one Representative,
The County of Hempstead shall elect two Representatives,
The County of Hot Springs shall elect one Representative,
The County of Howard shall elect one Representative,
The County of Independence shall elect two Representatives,
The County of Izard shall elect one Representative.
The County of Jackson shall elect one Representative.
The County of Jefferson shall elect three Representatives,
The County of Johnson shall elect one Representative.
The County of Lafayette shall elect one Representative,
The County of Lawrence shall elect one Representative,
The County of Little River shall elect one Representative,
The County of Lonoke shall elect two Representatives,
The County of Lincoln shall elect one Representative.
The County of Lee shall elect two Representatives,
The County of Madison shall elect one Representative,
The County of Marion shall elect one Representative
The County of Monroe shall elect one Representative.
The County of Montgomery shall elect one Representative,
The County of Mississippi shall elect one Representative,
The County of Nevada shall elect one Representative,
The County of Newton shall elect one Representative;

The County of Ouachita shall elect two Representatives
The County of Perry shall elect one Representative,
The County of Phillips shall elect two Representatives
The County of Pike shall elect one Representative,
The County of Polk shall elect one Representative,
The County of Pope shall elect one Representative,
The County of Poinsett shall elect one Representative
The County of Pulaski shall elect three Representatives
The County of Prairie shall elect one Representative
The County of Randolph shall elect one Representative
The County of Saline shall elect one Representative
The County of Sarber shall elect one Representative
The County of Scott shall elect one Representative,
The County of Searcy shall elect one Representative,
The County of Sebastian shall elect two Representatives,
The County of Sevier shall elect one Representative,
The County of Sharp shall elect one Representative,
The County of St Francis shall elect one Representative,
The County of Stone shall elect one Representative,
The County of Union shall elect two Representatives,
The County of Van Buren shall elect one Representative,
The County of Washington shall elect three Representatives,
The County of White shall elect two Representatives,
The County of Woodruff shall elect one Representative
The County of Yell shall elect one Representative,

Sec. 2. The Legislature shall from time to time divide the State into convenient Senatorial districts in such manner that the Senate shall be based upon the adult male inhabitants of the State, each Senator representing an equal number as nearly as practicable, and until the enumeration of the inhabitants is taken by the United

States Government A.D 1860 the districts shall be arranged as follows.

The Counties of Green, Craighead, and Clayton shall compose one district and shall elect one Senator.

The Counties of Randolph, Lawrence and Sharp shall compose one district and elect one Senator.

The Counties of Carroll, Boone and Newton shall compose one district and elect one Senator.

The Counties of Johnson and Pope shall compose one district and elect one Senator.

The County of Washington shall compose one district and elect one Senator.

The Counties of Independence and Stone shall compose one district and elect one Senator.

The Counties of Woodruff, St Francis, and Crittenden shall compose one district and elect one Senator.

The Counties of Perry, Pyatt and Sarber shall compose one district and elect one Senator.

The Counties of Saline, Garland, Hot Springs and Grant shall compose one district and elect one Senator.

The County of Pulaski shall compose one district and elect one Senator.

The County of Jefferson shall compose one district and elect one Senator.

The Counties of Lonoke and Prairie shall compose one district and elect one Senator,

The Counties of Arkansas and Monroe shall compose one district and elect one Senator.

The Counties of Phillips and Lee shall compose one district and elect one Senator.

The Counties of Desha and Chicot shall compose one district and elect one Senator.

The Counties of Lincoln, Bradley, and Dorsey shall compose one district and elect one Senator.

The Counties of Drew and Ashley shall compose one district and elect one Senator.

The Counties of Calhoun and Union shall Compose one district and elect one Senator.

The Counties of Dallas and Ouachita shall compose one district and elect one Senator.

The Counties of Hempstead & Nevada shall compose one district and elect one Senator.

The Counties of Columbia and Lafayette shall compose one district and elect one Senator.

The Counties of Little River, Sevier, Howard, & Polk shall compose one district and elect one Senator.

The Counties of Fulton Izyard, Marion, & Baxter shall compose one district and elect one Senator.

The Counties of Benton & Madison shall compose one district and elect one Senator.

The Counties of Crawford and Franklin shall compose one district and elect one Senator.

The Counties of Van Buren, Conway and Searcy, shall compose one district and elect one Senator.

The Counties of White and Faulkner shall compose one district and elect one Senator.

The Counties of Sebastian and Scott shall compose one district and elect one Senator.

The Counties of Poinsett, Cross, Jackson, and Mississippi shall compose one district and elect one Senator.

The Counties of Pike, Clark and Montgomery shall compose one district and elect one Senator.
And the Senate shall never consist of less than thirty nor more than thirty five members

Sec. 3. The ratio of representation in the Senate shall be six thousand adult male inhabitants to each Senator and the General Assembly shall at the first session after the return of every enumeration of the inhabitants made by the United States Government, so alter and rearrange the Senatorial districts, that each district shall contain as nearly as practicable, an equal number of adult male inhabitants.

Sec 4. Senatorial districts shall at all times consist of contiguous territory and no county shall be divided in the formation of a Senatorial district.

The State shall until otherwise provided by law be divided into the following Congressional districts

The Counties of Mississippi, Poinsett, Jackson, Independence, Cross, Crittenden, St. Francis, Woodruff, Prairie Monroe, Phillips, Arkansas, Desha, Lonoke, White, Craighead, Green, Clayton, Lee and Stone shall compose the first district and elect one Congressman.

The Counties of Jefferson, Lincoln, Drew, Ouachita, Ashley, Bradley, Calhoun, Dorsey, Union, Columbia, Nevada, Lafayette, Dallas, Clark, Hot Springs, and Grant shall compose the second district and elect one Congressman.

The Counties of Pulaski, Perry, Saline, Pike, Sevier, Little River, Hempstead, Howard, Polk, Montgomery, Yell, Garland, Scott, Sarbor, Sebastion, Johnson, Faulkner, Van Buren and Conway, shall compose the third district and elect one Congressman

The Counties of Randolph, Lawrence, Sharp, Fulton, Izard, Baxter, Marion, Searcy, Newton, Boone, Carroll, Madison, Washington, Benton, Crawford, Franklin & Pope, shall compose the fourth district and elect one Congressman.

All of which is respectfully submitted

The report was ordered read,

At the close of the reading of the report Mr Smoot moved that the report of the Committee lay on the table and 500 copies be printed.

Mr Copeland, of Crittenden moved to amend by striking out 500 and inserting 800.

Mr Williams, of Sharp, moved to amend the amendment by striking the three hundred and inserting 700, which latter amendment was accepted by Mr Smoot; and on the question being put was carried.

Mr Hampton, of Bradley chairman of the Committee on Executive departments made the following report, viz.

Mr President,

Herewith I have the honor of presenting the report of the standing committee on the Executive departments all of which with the exception of two or three sections have been adopted unanimously; and

in presenting this report it is thought to be not out of place that the Chairman should tender his acknowledgments to various members of the Committee for the care and efficiency evinced in digesting and arranging the several parts embraced in the Report.

Article

Executive

Sec 1. The Executive department of the State shall consist of a Governor, Secretary of State, Treasurer of State Auditor of State and Attorney General, all of whom shall reside and keep their Offices at the Seat of Government, and hold their Offices for the term of two years and until their successors are elected and qualified

Sec. 2. The Supreme Executive power of this State shall be vested in a Chief Magistrate who shall be styled

"The Governor of the State of Arkansas"

Sec. 3. The Governor, Secretary of State, Treasurer of State, Auditor of State, and Attorney General shall be elected by the qualified electors of the State at large, at the time and places of voting for members of the General Assembly the returns of each election thereof shall be sealed up separately and transmitted to the seat of Government by the returning Officers and directed to the Speaker of the House of Representatives, who shall during the first week of the session open and publish the votes cast and given for each of the respective Officers hereinbefore mentioned, in the presence of both houses of the General Assembly; The person having the highest number of votes for each of the respective Offices for which they were candidates, shall be declared duly elected thereto. But if two or more shall be equal and highest in votes for the same Office one of them shall be chosen by the joint vote of both Houses of the General Assembly, and a majority of all the members elected shall be necessary to a choice.

Sec 4. Contested elections for Governor, Secretary of State, Auditor of State, Treasurer of State, and Attorney General shall be determined by both houses of the General Assembly who shall have the exclusive jurisdiction in trying and determining the same and all such contests shall be tried and determined at the first session of the General Assembly after the election in which the same shall have arisen.

Sec. 5. No person shall be eligible to the office of Governor except a citizen of the United States who shall have attained the age of thirty years, and shall have been seven years an inhabitant of this State.

Sec. 6. The Governor shall be "Commander-in-Chief" of the Military and Naval forces of the State except when they shall be called into the actual service of the United States.

Sec. 7. He may require any information in writing from the Officers of the Executive Department on any subject relating to the duties of their respective Offices; and shall see that the laws are faithfully executed.

Sec 8 He shall give to the General Assembly from time to time, and at the close of his official term, to the next General Assembly information by message concerning the condition and government of the State, and recommend to their consideration such measures as he may deem expedient.

Sec. 9. A seal of the State shall be kept by the Governor, used by him officially, and called the Great seal of the State of Arkansas.

Sec. 10. All grants and commissions shall be issued in the name and by the Authority of the State of Arkansas, sealed with the Great Seal of the State, signed by the Governor, and attested by the Secretary of State.

Sec. 11. No member of Congress or other person holding office under the Authority of this State, or of the United States shall exercise the Office of Governor, except herein provided.

Sec 12. In case of the death, conviction on impeachment, failure to qualify, resignation, or other disability of the Governor, his powers, duties, or emoluments of the Office for the remainder of the term, or until the disability be removed, or a Governor elected and qualified, shall devolve upon and accrue to the President of the Senate

Sec. 13. If during the vacancy of the office of the Governor the President of the Senate shall be impeached, removed from office, refuse to qualify, resign, die or be absent from the State, the Speaker of the House of Representatives shall in like manner administer the Government.

Sec. 14. Whenever the Office of Governor shall have become vacant by death, resignation, removal from office or otherwise, provided such vacancy shall not happen within the nine months next before the expiration of the term of Office for which the said Governor shall have been elected the President of the Senate or Speaker of the House of Representatives at the case may be, exercising the powers of Governor for the time being, shall immediately cause an election to be held to fill such vacancy, giving by proclamation sixty days

previous notice thereof, which election shall be governed by the same rules prescribed for general elections for Governor as far as applicable; the returns shall be made to the Secretary of State, who in presence of the acting Governor and Judges of the Supreme Court, or one of them at least, shall compare them, and together with said acting Governor and Judge or Judges declare who is elected; and if there be a contested election it shall be decided by the Judges of the Supreme Court in manner to be prescribed by Law.

Sec. 15th Every bill which shall have passed both Houses of the General Assembly shall be presented to the Governor, if he approve of it, he shall sign it; but if he shall not approve it, he ~~shall not approve it, he~~ shall return it with his objection to the house in which it originated; which House shall enter the objections at large upon their journals, and proceed to reconsider it; if after such reconsideration, a majority of the whole number elected to that House shall agree to pass the bill, it shall be sent with the objections to the other House by which likewise it shall be reconsidered, and if approved by a majority of the whole number elected to that House, it shall be a law; but in such cases the votes of both Houses shall be determined by the "yeas and nays" and the names of the members voting for or against the bill shall be entered on the journal of each House respectively.

If any bill shall not be returned by the Governor within five days, Sunday excepted, after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the General Assembly, by their adjournment prevent its return, in which case it shall become a law, unless he shall file the same with his objections in the office of Secretary of State, and give notice thereof by public proclamation within ten days after such adjournment.

Sec. 16th Every order or resolution in which the concurrence of both Houses of the General Assembly may be necessary except on questions of adjournment, shall be presented to the Governor and before it shall take effect be approved by him or being disapproved, shall be repassed by both houses according to the rules and limitations prescribed in the case of a bill.

Sec. 17th The Governor shall have power to disapprove of any item or items of any bill making appropriations of money embracing distinct items, and the part or parts of the bill approved shall be the law and the item or items of appropriation disapproved shall be void unless repassed, according to the rules and limitations prescribed for the passage of other bills over the Executive veto.

Sec. 18. In all criminal and penal cases except in those of treason and impeachment, the Governor shall have power to grant reprieves, commutations of sentence, and pardons after conviction, and remit fines and

forfeitures under such rules and regulations, as shall be prescribed by law, In cases of treason, he shall have power by and with the advice and consent of the Senate, to grant reprieves and pardons and he may in the recess of the Senate, respite the sentence until the meeting of the eight General Assembly.

Sec. 19th. The Governor may by proclamation on Extraordinary occasions, convene the General Assembly at the seat of Government, or at a different place, if that shall become, since their last adjournment dangerous from an enemy or contagious disease; and he shall specify in his proclamation the purpose for which they are convened; and no other business than that set forth therein, shall be transacted until the same shall have been disposed of; after which they may by a vote of two thirds of all the members elected to both houses, entered upon their journals, remain in session not exceeding fifteen days.

Sec 20th. In case of disagreement between the two houses of the General Assembly at a regular or adjourned session, with respect to the time of adjournment; the Governor may adjourn them to a time not beyond the day of their next meeting; and if on account of danger from an enemy or disease, to such other place of safety as he may think proper.

Sec 21st. The Secretary of State shall keep a fair and accurate record of all the official acts and proceedings of the Governor and when required lay the same with all papers, minutes and vouchers relating thereto before either branch of the General Assembly; and shall perform such other duties as now are or may hereafter be enjoined upon him by law.

Sec 22nd. The Treasurer of State, Auditor of State and Attorney General, shall perform such duties as may be prescribed by law; they shall not hold any other office or commission civil or military in this State, or under any other State, or the United States, or any other power at the same time; and in case of vacancy occurring in any of said offices or that of Secretary of State, by resignation, or otherwise the Governor shall fill said office by appointment for the unexpired term, provided that such vacancy shall occur within nine months next before the general election thereafter, otherwise the Governor shall issue his proclamation giving sixty days notice, ordering an election to fill such vacancy, under the same rule and regulations and to be conducted in all respects as is herein provided for filling the vacancy in the office of the Governor.

Sec 23rd. The officers named in this article shall receive for their services a salary to be established by law, which shall not be increased or diminished during their official terms and they shall not after the expiration

of the terms of those in office at the adoption of this Constitution, receive to their own use any fees, costs, perquisites of office, or other compensation, and all fees that may hereafter be payable by law for any service performed by any officer provided for in this article of the constitution shall be paid in advance, into the State Treasury. Provided that the salaries of the respective officers of the Executive department herein mentioned shall never exceed $ for Governor the sum of Dollars per year

For Secretary of State the sum of Dollars per year

For Treasurer of State the sum of Dollars per year

For Auditor of State the sum of Dollars per year

For Attorney General the sum of Dollars per year

Mr Bunch of Carroll moved that the report of the Committee be received and laid upon the table, subject to the call of the Convention, and that 500 copies be printed which was carried.

Mr Eakin of Hempstead chairman of the committee on "Municipal and Private Corporations" made the following report viz.

To the President and Members of the Constitutional Convention of the State of Arkansas.

The Standing Committee on Municipal and Private Corporations report. That they have considered of the subject matter within the scope of the Committee and have agreed upon the following article which they herewith submit and recommend that it be embraced in the New Constitution.

Article
Municipal and Private Corporations

Sec 1 All existing charters or grants of special or exclusive privileges, under which a bona fide organization shall not have taken place and business been commenced in good faith, at the time of the adoption of this Constitution, shall thereafter have no validity.

Sec. 2. The General Assembly shall pass no special act conferring corporate powers, except for charitable educational, penal or reformatory purposes, when the Corporations — created are to be and remain under the patronage

and control of the State.

Sec 3rd The General Assembly shall provide by general laws, for the organization of cities which may be classified; and incorporated towns; and restrict their power of taxation, assessment, borrowing money, and contracting debts, so as to prevent the abuse of such power.

Sec. 4th No Municipal corporation shall be authorized to pass any laws contrary to the General laws of the State; nor levy any tax on real or personal property to a greater extent in one year than two per centum of the assessed value of the same

Sec. 5th No county, city town or other Municipal corporation, shall become a stockholder in any company association or Corporation; or obtain or appropriate money for or loan its credit to any Corporation, association, institution, or individual.

Sec. 6th Corporations may be formed under general laws which laws may from time to time be altered or repealed.

Sec. 7th Except as herein provided the State shall never become a stockholder in, or subscribe to, or be interested in the stock of any corporation or association; nor shall the credit of the State in any case be pledged or loaned, in aid of any person association or corporation other than such as are specified in section two of this article.

Sec. 8th No private corporation shall issue stocks or bonds except for money or property actually received, or labor done; and all fictitious increase of stock or indebtedness shall be void: nor shall the stock or bonded indebtedness of any private corporation be increased except in pursuance of General law, nor unless the consent of the person holding the larger amounts, in value, of the stock shall be obtained at a meeting held after notice given for a period not less than sixty days in pursuance of law.

Sec 9th. Dues from private corporations shall be secured by such individual liability of the stockholders, and other means as may be prescribed by law; but, in all cases each stockholder shall be liable over and above the stock by him or her owned, and any amount unpaid thereon to a further sum, at least equal in amount to such stock.

Sec 10th. No property or right of way shall be appropriated to the use of any corporation

until full compensation therefor shall be first made to the owners, in money, or first secured to him by a deposit of money; which compensation, irrespective of any benefit from any improvement proposed by such corporation, shall be ascertained by a jury of twelve men, in a court of competent jurisdiction as shall be prescribed by law.

Sec 11th No act of the General Assembly authorizing the issue of bills, notes or other paper which may circulate as money, shall take effect until submitted to the people at the general election next succeeding the passage thereof, and approved by a majority of the electors voting at such election: and the redemption of all such paper shall be fully secured by the deposit of such securities as may be prescribed by law.

Sec 12th Foreign corporations may be authorized to do business in this state under such limitations and restrictions as may be prescribed by law: Provided, that no such Corporation shall do any business in this State except while it maintains therein one or more known places of business, and an authorized agent or agents in the same, upon whom process may be served; and as to contracts made or business done in this State, they shall be subject to the same regulations, limitations and liabilities as like Corporations of this State; and shall exercise no other or greater powers, privileges or franchises than may be exercised by like Corporations of this State, nor shall they have power to condemn or appropriate private property.

Sec 13th Except as herein otherwise provided, the state shall never assume, or pay, the debt or liability of any county, town, city or other corporation whatever; or any bond, bounty, gratuity, such debt or liability shall have been created to repel invasion, suppress insurrection or to provide for the public welfare and defense.

The hour of 10 o'clock having arrived the Convention passed to the consideration of the special order of the day being the resolution introduced by Mr Johnson of Calhoun on Monday.

On motion of Mr Johnson of Calhoun the further consideration of the special order of the day was postponed until 10 o'clock AM on next Saturday.

Mr Rector of Garland then offered the following resolution

"Whereas - The present mode of issuing State warrants for the payment of State officers is ruinous to the County - and

Whereas, it is proposed - and is immediately desirable, that this Convention shall at an early day adopt some mode of running the State Government on a currency or specie basis, and

Whereas, - to accomplish this desirable result, retrenchments and the utmost economy must be inaugurated,

Therefore, Be it Resolved, That a select committee of three be appointed by the President of this Convention, whose duty it shall be, to visit and inspect the several State Departments, and ascertain by conference with the heads of said bureaus - whether or not the clerical force at present employed therein, can or cannot be materially reduced in number and curtailed in salary, provided said specie basis be adopted as aforesaid, and that said Committee report at the earliest possible moment the result of their inquiries.

Which was adopted.

The President appointed as such committee; Mr Hester of Garland, Mr Inmon of Columbia, and Mr Hines of White.

Mr Thornton of Crawford introduced the following resolutions, viz:

Whereas, The necessities of the financial condition of the State demands of this Convention a strict inquiry and thorough investigation into the affairs of every branch and department of the public service and the adoption of all lawful and expedient measures to diminish the expenses and curtail the expenditures of the government; and

Whereas, It is the right of the people at all times, to demand of their agents, the officers of the government, an account of their stewardship and to be informed upon any and every subject pertaining to the public welfare, therefore

Resolved, That his Excellency, Elisha Baxter, Governor of the State of Arkansas, be and he is hereby respectfully requested to communicate to this convention, the names and Rank of all commissioned officers of the Arkansas State Militia, and the numbers of men, who are now or have been in active service since the Proclamation of President Grant ordering the Colonels of the Militia to disband; And whether any of the officers or men so reported as in active service have drawn pay, and if so from what fund, and in what kind of funds and warrants made; and if any such warrants were made in favor of such, whether said warrants were taxed by said parties and if so at what rate, and whether any deductions were made from the face value or otherwise.

And further the total amount of pay and allowances therefore paid to said officers and men since the date aforesaid and the daily costs of the troops now held in duty, and also whether there is any imperative necessity to continue said troops longer in duty, with such other information as this convention may

as will tend to elucidate the whole premises.

The question being put, the resolutions were adopted.

Mr Sullivan of Sebastian then submitted the following Ordinance.:

"Be it ordained by the people of the State of Arkansas, in Convention assembled:

1. That the office of Lieutenant Governor of the State be, and the same is hereby abolished.

2. That the office of Superintendent of the Penitentiary be, and the same is hereby abolished; and it shall be the duty of the Governor to see that the lessee of the penitentiary faithfully executes his contract.

3. That the office of Commissioner of Public Works and Internal Improvements be and the same is hereby abolished; and it shall be the duty of the Commissioner now holding the office to deposit in the office of Secretary of State for safe keeping all the books, papers and records in the office, and take a schedule receipt therefor.

4. That the office of Commissioner of Immigration and State Lands be and the same is hereby abolished; and it shall be the duty of the Commissioner now holding said office, to turn over all of the books, papers, records, maps, plats and furniture of the office, to the Auditor of State, who shall perform all the duties now provided by law to be performed by said Commissioner, until otherwise directed by the General Assembly; and shall receive as full compensation for the performance of such duties, the fees and emoluments given by existing laws to said Commissioner, except the salary, until otherwise provided by law.

5. That the office of Superintendent of Public Instruction, be, and the same is hereby abolished; and it shall be the duty of the Superintendent now holding said office, to turn over to the Auditor, all the books, papers, records and furniture of his office, and take a schedule receipt therefor.

6. That the office of the Insurance Commissioner of Arkansas be and the same is hereby abolished; and it shall be the duty of the person now holding said office, to deposit in the office of Secretary of State all the books, papers, records, bonds and securities in said office, and take a schedule receipt therefor.

7. That the Separate Chancery Court of Pulaski County be, and the same is hereby abolished; and the jurisdiction of said court be, and the same is hereby transferred to the Circuit Court of Pulaski County. That it shall be the duty of the Clerk of the said Chancery Court to turn over to the Clerk of said Circuit Court, all the books, papers, records and furniture of his office, and take a schedule receipt therefor. — And all process now issued from said Chancery court shall be returnable to said Circuit Court. — Provided, That in all cases where said Chancery Court has appointed a commission to execute decrees of said court, he shall execute the same and make his reports to said Circuit Court.

8 That the four offices of Associate Justices of the Supreme Court be and the same are hereby abolished; and in lieu thereof, two offices of Associate Justices of the Supreme Court are hereby established; and the Governor shall commission two Associate Justices of the Supreme Court, who shall hold their offices until their successors are elected and qualified.

Mr Pulliam, the introduced, moved that the ordinance be read by section and a vote be taken on each section as read.

Mr Smith of Columbia moved that the ordinances be referred to the "Committee on Ordinances and Schedules,"

Which motion was lost.

Mr Gilmore moved that the resolutions lay on the table and be made the special order for 10 o'clock A.M. next Monday.

Mr Garland of Crittenden moved to amend by referring to the Judiciary Committee.

Mr Garland arose to a point of order under Rule 22.

The President decided the point of order not well taken.

Mr Conwell of Jackson moved to make the resolution the special order of the 1st day of next September.

Mr Brown of Clayton moved to table the motion made by Mr Conwell, which was not agreed to.

Mr Fisher of Phillips then moved that the resolutions be referred to the Committee on Miscellaneous Provisions, which was carried

and the resolutions so referred.—

Mr Dinsmore of Johnson moved to adjourn until 9 o'clock A.M. on Saturday next — which motion was lost by

Mr White of Phillips then offered the following resolutions:

An ordinance abolishing the separate Criminal Court of Phillips County, Arkansas, and vesting the jurisdiction thereof in the Circuit Court of said county.

1. Be it ordained by the people of the State of Arkansas in convention assembled: That the separate Criminal Court for the County of Phillips in the State of Arkansas be, and the same is hereby abolished, and such court shall cease to exist from and after the passage of this ordinance.

2. Be it further ordained, - That the jurisdiction of such court in all things shall revert to the circuit court in and for said County of Phillips as before the establishment of such criminal court.

3 Be it further ordained, That the office of Criminal Judge within and for said county of Phillips be and the same is hereby abolished, and from the passage of this ordinance such office shall cease as well also as the salary of the same.

Which was referred to the Committee of Miscellaneous Provisions.

The report of the Committee on Militia was then called up for the action of the Convention.

Mr Dunn of Ouachita moved that the report of the Committee be referred to the Committee of the whole, which was carried.

Mr Fishback of Sebastian moved that the convention resolve itself into a Committee of the whole, which motion prevailed.

The President called Mr Dunn of Garland to the Chair.

The President resumed the chair and Mr Dunn chairman of the committee of the whole reported to the convention the action of the committee, which report was received.

The report of the committee was then read by the Secretary and the sections as adopted by the committee were as follows, to wit;

Militia.

Sec. 1. The Militia shall consist of all able bodied male persons, residents of the State, between the ages of eighteen and forty five years, except such as may be exempted by the laws of the United States,

or this State; and shall be organized, officered, armed and equipped, and trained in such manner as may be provided by law.

Sec 2. The Volunteer companies of infantry, cavalry, or artillery may be formed in such manner and with such restrictions as may be provided by law.

Sec 3. The Volunteer and Militia forces shall in all cases (except treason, felony and breach of the peace) be privileged from arrest during their attendance at musters, and the election of officers, and in going to and returning from the same.

Sec 4. The Governor shall, when the general assembly is not in session, have power to call out volunteers or militia, or both, to execute the laws, repel invasion, suppress insurrection, and preserve the public peace in such manner as he may be authorized by law.

Mr Smith of Salem, offered the following as a substitute for the report, recommended by the committee, to wit;

Militia.

Sec 1, The Militia shall consist of all able bodied male residents of the state, between the ages of eighteen and forty five years, except such as may be exempted by the laws of the United States or this state.

Sec 2. It shall be the duty of the legislature to make such laws for the organization, discipline, and service of the Militia of the state as may be deemed necessary.

Ulrich, on motion of Mr Jenson of Calhoun was laid on the table.

The Convention at 12 o'clock and 30 minutes adjourned until tomorrow morning at 9 o'clock.

Thomas W. Newton
Secretary.

Granville D Royston
President

Friday Morning
July 31. 1874.
9 o'clock A.M.

The Convention met pursuant to adjournment.

The roll was called and the following named members answered to their names:

Anderson of Lee. Anderson of Craighead. Bunch. Butler of Independence Butler of Antlarke. Berry. Bailey. Bunn
Barnes Blackwell. Brown. Bates. Bowen.
Byers of Baxter Byers of White. Copeland. Cunningham. Crowley
Cruder Carroll. Cabler. Calter. Craig
Crism Dorris Doswell. Dodson. Eaton
Eagle Flanagin. Fishback Gibson Garland
Ghilley Gardner House Hampton. Harrison
Honnor Hughes Hawkins. Horrell. Johnson
Joyner Jones Killgore. Kelly Kinneworthy
Leiper Lucas Lindsey. Lake. Mosley
Mansfield Murphy Miller Niven Patterson
Quattlebaum Pierce Perkins Parrott. Cullum
Pace Rogers Rose Rector Rutherford
Richards Smoote Stanley Scott Smith of
Lafayette. Smith of Saline Sorrels. Thomason of Crawford
Thomason of Washington. Thompson. Williams of Jefferson
Williams of Little River Williams. Williams of Clark. Williams
of Union. White. Walker. Pitt, Vice President.

Mr Hanna of Conway and Mr Linnaway of Faulkner were excused.

Mr Lester of Lawrence failed to answer to his name.

Prayer by Rev H. H. Kays, Chaplain.

The journals of yesterday were then read.

The president at the suggestion of Mr Smith of Lafayette and Mr Pickoack of Sebastian, directed that the proceedings of the Committee of the whole, being taken out of the Journal, which was done.

The journal was then approved.

Mr Gibson of Arkansas moved to adopt the report of the Committee of the whole upon the articles of Militia submitted on.

Mr Butler of Independence moved to refer to the committee on "Revision of the Constitution".

Mr Smith of Lafayette moved that the article be engrossed for a third reading and final passage;

Which was carried.

Mr Sorrells of Scott, submitted the following petition.

To the Constitutional Convention which assembled at Little Rock in the State of Arkansas on the 14th day of July 1874.

We the undersigned, residents of Scott County in the State of Arkansas would respectfully ask that there be incorporated in the new constitution of this state, a clause by which the people of said state may from time to time have the right to vote for or against the manufacture, use and traffic in Alcoholic Liquors and that if in any corporation, township or county a majority of votes be cast against it, it shall be prohibited.

And that if a majority of the whole state shall vote against it, it shall be prohibited throughout the state,

And will ever pray, etc, etc.

Franklin Bates, Eddy, Ret Allison, Dennis May, Martha McCall and 125 others.

Which was referred to the committee on Counties, County seats and County lines.

Mr Neiswarthy of Sevier, Chairman of the Committee on Agriculture Mining and Manufacturing, made the following report.

Mr President,

The Committee on Agriculture, Mining and Manufacturing, after having had the matter under consideration for many days have directed me as Chairman of said Committee to report the following resolutions and earnestly and cheerfully recommend that the same be embodied in the Constitution, to wit:

Resolved, That the Legislature shall from time to time within five years and thereafter, pass such laws as will protect and aid the Agricultural Manufacturing and Mining interests of the state.

Sec 1st By creating a Bureau to be known as the Mining and Agricultural Bureau, to be located at the Capitol of the State, and be under the control of a State Geologist, who shall be a man of scientific attainments in this profession.

Sec. 2. The official State Geologist shall be filled by appointment by the Governor of the State and shall hold his office for such time as the Legislature may hereafter prescribe. That all capital invested in erecting manufacturing establishments of cotton or woolen goods, Leaf tobacco, Mining and Agricultural Machines, Furniture and Leather, and Blast Furnaces shall be exempted from taxation for the term of seven years from and after the adoption of the constitution.

Upon motion of Mr Eaton of Hempstead the report of the Committee was received, laid on the table and 500 copies ordered printed.

Mr Flanagin of Clark, Chairman of the Committee on Judiciary moved the convention authorize the Committee to employ a clerk.

The President declared the motion out of order.

Mr Smith of Lafayette moved that the rules be suspended that the Chairman of the Judiciary have leave to introduce his motion.

The question being put the rules were suspended, two thirds of the members voting therefor.

Mr Flanagin then moved that the Judiciary Committee be authorized to employ a clerk,

Which was adopted.

Mr Leiper of Dallas then offered the following resolution;

Resolved, That the Secretary of the Convention be requested to prepare certificates of pay for the members, and the President of the convention be requested to sign the same,

Which was adopted.

Mr Williams of Little River presented the following resolution;

Resolved, That county seats shall not be removed unless a majority of the qualified voters of the county voting at an election held for that purpose, shall vote for such removal.

Which on motion of Mr Kildgore was referred to the Committee on Counties, County Seats and County lines.

Mr Rector of Garland submitted the following ordinance,

Ordinance.

Be it ordained by the people of the State of Arkansas in Convention assembled.

That a sufficient sum of par funds now in the State Treasury, of any class or character whatever, is hereby appropriated to pay all State officers fifty per cent of their respective salaries now prescribed by law, provided in all cases that the amount herein authorized to be drawn, shall be accepted by said officers in full for their salaries for the current period.

Sec II. That there is also hereby appropriated out of said moneys, for clerk hire in the Auditors office per month, the sum of Four Hundred Dollars.
For clerk hire in the State Treasurers office a like

sum of Four hundred dollars per month.
For clerk hire in the office of Commissioner of Immigration and State Lands, the sum of two hundred dollars per month.

And there is hereby appropriated out of said moneys a sum sufficient to defray the current expenses of this convention, - pay of members and officers included at the rate of three dollars instead of six dollars per diem.

That the State Treasurer is hereby instructed to suspend upon the passage of this Ordinance the issuance of state scrip for any purpose, unless he is hereafter authorized by Ordinance of this convention or an act of the General assembly.

For the purpose of reimbursing the fund from which the moneys aforesaid are to be drawn, it is hereby ordained —

That the general assembly at its first session shall provide by law for the assessment and collection in the year A.D. 1875 of a special tax to be collected in the United States currency - sufficient to pay back the moneys hereby appropriated."

Mr Thompson of Woodruff offered the following as a substitute:

Ordinance.

Be it ordained, by the people of the State of Arkansas in convention assembled,

Sec 1. That the amount of United States Currency and United States Bonds now in the treasury of this State belonging to the School and other funds of the State, be and is hereby borrowed to defray the current expenses of the State,

Sec 2. That the expenses of this convention, except the mileage and per diem of the delegates shall be defrayed out of said fund and also the expenses of this government which shall accrue subsequent to the first day of August 1874.

Sec 3. That the salaries of all officers of the State payable out of the State Treasury, which shall accrue after the first day of August 1874 shall be paid out of said funds, provided that the various parties entitled thereto shall receive fifty per cent of the amount now allowed them by law, in full satisfaction of the same.

Sec 4. That the salaries of all clerks of the various departments of the State Government, which shall accrue after the 1st day of August 1874 shall be paid out of said fund, provided that first class clerks shall not receive more than one hundred dollars per month, and second class clerks, seventy five dollars per month.

Sec 5. That the Auditor shall issue no warrants on the Treasurer for materials or supplies furnished or labor performed, or on any other account unless he shall be satisfied, that the account presented is for as small a sum as the same can be procured in currency.

Sec 6. There shall be levied by the General Assembly at the beginning of the first session for the year 1874 and annually thereafter for the period of three years a sinking fund of five mills on the dollar, and an ordinary state tax of five mills on the dollar, ~~from~~ the former of which shall be collected in United States Currency and the latter may be collected in Arkansas State Scrip or Treasurers Certificates, and both of which taxes shall be paid into the State treasury on or before the first day of June ~~ensuing~~ the year for which such taxes shall have been collected.

Sec 7. That the Treasurer of the State shall be authorized by the General Assembly to borrow annually for the period of four years from the first day of June 1875, such amount of said Sinking Fund tax as he may think proper not to exceed the sum of Two hundred thousand dollars per annum, which amounts shall be used by the treasurer for defraying the necessary expenses of the state government.

Sec 8. That the General Assembly shall at the expiration of said term of four years, levy a sufficient amount of sinking fund tax within such time as they deem proper, to repay the amounts borrowed of the several funds as herein specified, which tax when so collected shall be applied to the repayment thereof and to no other purpose.

Sec 9. That the Treasurer of this state shall not after the adoption of this ordinance issue any state scrip, treasurers certificates, or other evidences of indebtedness in payment of any liabilities of this state which shall accrue after the first day of August 1874.

During the pendency of the discussion of the substitute Mr House of White obtained the floor, and introduced an ordinance bearing upon the same subject which is as follows, to wit:

Whereas, The state owes a floating debt of about $1.700.000.00, evidenced by Treasurers certificates commonly known as State Scrip, which is by law receivable for state and county taxes and debts due to the state and which the officers of the state and counties are compelled by law to receive for their services, and

Whereas, The further issue of said scrip, whereby the current expenses of the state are enormously increased and the state is becoming every day more and more impoverished, and in order to accomplish that end

and to reduce the current expenses of the state and return to a sound financial basis, it is necessary to make such provisions as will enable the state by her fiscal operations to meet the ordinary expenses of the government in current money of the country, and as soon as may be without the imposition of burdensome taxes, to redeem and absorb by taxation the aforesaid floating debt, and

Whereas, The taxable property of the state after making such reduction of the present assessments as will bring it to a fair and just standard in value, amounts to the sum of $80.000.000.00, and

Whereas, The levying a state tax of 1/2 of 1% per annum payable in the aforesaid scrip together with the forfeitures, fines and penalties etc, receivable in said scrip, the same may be entirely absorbed in a very few years, and thus the state will be restored to a solid financial basis, and

Whereas, During said period it will be necessary to raise the funds to pay the current expenses of the state from some other source, and the same will not exceed one half of one per cent, if it will amount to so much as that, on said assessment,

Therefore,

Be it Resolved, That the Legislature shall have the power to levy a state tax of one per cent per annum and no more, for the period of five years or until all of said scrip is absorbed, and after the end of five years or if said scrip shall sooner be redeemed and absorbed by taxation, thenceforth there shall be levied for state tax no larger sum than one half of one per cent per annum.

II Until the aforesaid scrip shall have been absorbed in the manner hereinbefore provided, there may be borrowed from the sinking fund tax a sufficient sum not to exceed one half of one per cent, to defray the current expenses of the state.

III No tax or fund shall ever be converted or used for any other purpose than that for which it is levied except as provided in the last foregoing section.

No county shall levy a tax to exceed one half of one per cent unless by consent of the voters expressed at the ballot box, a larger sum is levied.

IV No incorporated town shall levy a tax to exceed one fourth of one per cent.

V. - In addition to the aforesaid state tax there shall be levied an annual poll tax of one dollar on every qualified voter in this state.

A Motion was made that the whole matter be referred to the Committee of the Whole.

Mr Smith of Lafayette made a point of order that a motion to refer was not in order until the ordinance had been read the second time.

The President sustained the point of order.

The rules were then suspended and the ordinances read the second time.

On motion the Ordinance as introduced by Mr Rector of Garland, the substitute by Mr Thompson and the additional ordinance and resolution by Mr House were then ordered to lay upon the table, 200 copies of each printed, and made the special order for next Tuesday at 11 o'clock AM.

The Convention at 11 o'clock AM went into Committee of the Whole, to consider the article on Franchise.

Mr Killgore of Columbia was called to the chair.

The Committee arose at 12 o'clock and 30 minutes and Mr Killgore Chairman, reported to the Convention that the Committee of the Whole had under consideration the 1st Section of the article on Franchise; had arose and asked leave to sit again tomorrow at 11 o'clock AM.

The report of the Committee was received.

Mr Williams of Jefferson moved to adjourn until tomorrow morning at 9 o'clock.

Mr Witt moved to amend by saying 8 o'clock, which was accepted, and the convention at 12 o'clock and 45 minutes adjourned.

Granderson D. Royston
President and
Presiding Officer

Thomas W. Newton
Secretary.

Saturday Morning.
August 10th 1874
9 o'clock A.M.

The Convention met pursuant to adjournment.

The roll was called and the following named members answered to their names:

Anderson of Lee, Anderson of Craighead, Bunch, Butler
of Independence, Butler of Pulaski, Bailey, Bunn
Barnes, Blackwell, Brown Babb, Bowen,
Cypert of Baxter, Cypert of White, Copeland,
Cunningham, Crowley, Cueter, Carroll, Cables
Carter, Cagle, Chism Downs, Dowell, Dodson
Eakin Eagle Flanagin, Gibson Garland, Gulley
Goodwin, Howe, Hampton, Harrison, Horner, Hughes
Hawkins Howell, Johnson, Joyner, Jones Kilgore
Kelly, Kinsworthy, Lepley Lucas Lester Lindsey
Lake Mosley Mansfield Murphy Miller Niven
Patterson Pumtney Pierce Perkins Parrott Pulliam
Polk Rogers, Rose Rutherford, Reinhardt, Smoote
Stanley Scott, Smith of Lafayette, Smith of Saline,
Sorrels, Thompson of Crawford, Thompson of Washington
Thompson, Williams of Little River, Williams of Sharp, Williams of Union
Walker, Witt, Vice President.

Mr Frierson of Cuy, Mr Hanna of Conway and Mr Dunaway of Faulkner, being absent on leave.

The following named members failed to answer to their names.
Mr Berry of Jefferson, Mr Rector of Garland,
Mr Williams of Jefferson, Mr White of Phillips.

Prayer by the Chaplain.

Mr Barnes of Pulaski asked and obtained the unanimous consent of the convention and presented the credentials of Mr Daniel O'Sullivan delegate from Pulaski, elected to fill vacancy caused by the resignation of Mr James T. Fagan.

Mr O'Sullivan was then duly qualified by the president and took his seat as a member of the convention.

Mr Rector of Garland Mr White of Phillips
Mr Williams of Jefferson and Mr Berry of Jefferson
appeared in their seats and answered to their names.

The President laid before the Convention a communication from His Excellency Elisha Baxter, in response to a resolution of the convention, also a letter from Hon James A Berry, Auditor, which were ordered to be read.

The communication from the Governor is as follows, to wit:

To the
Hon Grandison D. Royston
President of the Constitutional Convention.

Sir:

In response to a resolution of the 30th inst in relation to the payment of troops &c, I have the honor to report, that the troops in service at the date of the Presidents Proclamation (so far as they have been paid at all,) were paid under the supervision of the Military Board out of a fund appropriated by an act entitled "An Act authorizing the issue of Bonds for the payment of the expenses of the Militia and present General Assembly and the appropriation and disbursement of the same." approved May 29. 1874.

Such as were mustered since the date of the Presidents Proclamation were paid out of funds placed under my control by the act above referred to, and an act entitled "An Act making appropriations to supply deficits in the State Department" approved May 29. 1874.

So far as I am advised, none of the troops have been paid in scrip. I am of the opinion that "there is an imperative necessity to continue said troops on duty."

Other inquiries contained in the resolution would be more appropriately addressed to the Adjutant General or to the Maj Gen'l Commanding, to whom you are respectfully referred for such information as you may desire.

Respectfully Submitted, &c

Elisha Baxter.

The communication from Hon J R. Berry is as follows viz:

Indy 31. 1874.

To the Hon. Constitutional Convention.

Gentlemen.

The accounts for the salaries of Clerks of several of the departments of state have this day been presented to this office to be audited and for the issue of warrants thereon. The accounts are made out to include the discount on state scrip, and as this is now a question before your honorable body, I have so far declined to issue on any such accounts, awaiting the action of the convention. The month has just closed and they no doubt need their pay The premises considered I hope it will be the pleasure of the Convention to determine this matter at as early a day as possible so that the Auditor may know upon what basis the salaries of clerks are to be paid.

Very respectfully
J.R. Berry.
Auditor

Mr Johnson of Calhoun moved that the Special order of the day which had been set for 10 o'clock be deferred for the present, and that it lay upon the table subject to call, which motion prevailed.

Mr Anderson of Lee, Chairman of the Committee on Education made the following report.

To the President and Members of the Constitutional Convention of the State of Arkansas.

The committee appointed to prepare an article on the subject of Education, to be incorporated in the Constitution, beg leave to submit for the consideration of the convention the following, to wit:

Sec 1. The General Assembly shall provide by law for maintaining a general system of common schools, wherein all persons in the state between the ages of six and twenty one years may receive gratuitous instruction.

Sec 2. No money now belonging to the Public School Fund, or raised for the support of Public schools of this state shall be appropriated to or used for the support of any sectarian school.

Sec 3. The proceeds of all lands that have been or may hereafter be granted by the United States to this state and not otherwise appropriated by the United States, also all moneys, stocks, bonds and other property now belonging to any fund for the purpose of Education, also the net proceeds of all sales of lands and other property and effects that may accrue to this state by escheat or from sales of estrays or from unclaimed dividends, or distributive shares of the estates of deceased persons, or from fines, penalties or forfeitures also any proceeds of the sales of the Public Lands, which may have been or may hereafter be paid over to this state, Congress consenting; Also the grants, gifts, devises that have been or may hereafter be made to this state, and not otherwise appropriated by the terms of the grants, gift or devise shall be securely invested and sacredly preserved as a Public School Fund which shall be common property of the state, the annual income of which fund together with One Dollar, in currency per capita, to be annually assessed on every male inhabitant of this state, over the age of twenty one years, and such other states as the Legislature may provide by law, not exceeding two mills on the dollar on the taxable property of the state, shall be faithfully appropriated for establishing and maintaining the free schools in this article provided for and for no other use or purpose whatever.

Mr Gulley of Izard presented the following minority report:

Gen'l J. D. Royston.
President Constitutional Convention.

The undersigned members of the standing committee on Education, differing with the majority of said committee, as to a system of free schools adapted to the condition of the people of Arkansas

beg leave to submit the following minority report, and ask that it be adopted as a part of the constitution.

Article.

Education

Section 1. The General Assembly of this state shall provide by law for a practical and efficient common school system whereby all persons in the state, over the age of six and under twenty one years, may be gratuitously instructed.

Sec 2. The proceeds of all lands that have been or may hereafter be granted by the United States to this state for school purposes, also any proceeds of the sale of the public lands of the United States, which may have been or may hereafter be paid over to this state (Congress consenting,) also all grants, gifts or devises, that have been or may hereafter be made to this state, and not otherwise appropriated by the terms of the grant, gift or devise; also moneys, stocks bonds, lands and other property now belonging to any fund for purposes of Education. Also the net proceeds of all sales of land and other property and effects, that may accrue to this state by Escheat, shall be apportioned to the several counties of this state, for the maintenance of common schools, provided for in section I in such manner as the General Assembly may direct.

Sec 3. All proceeds arising in any county from sales of estrays or from unclaimed dividends, or distributive shares of the estates of deceased persons, or from fines, penalties or forfeitures, together with one dollar per capita to be annually assessed on every male inhabitant of each county over the age of twenty one years, and such other taxes as the General Assembly may provide, the question of said tax to be submitted to the decision of the qualified electors of each school district, and shall not exceed five mills on the dollar on the taxable property of said district all of which shall remain in the hands of the proper bonded officer in each county where the same has ~~been~~ accrued or been collected, and shall be appropriated for establishing and maintaining free schools in the school districts voting said tax and for no other purpose whatever; and such funds shall be paid out by said bonded officer to said districts in such manner as the General Assembly may provide.

Sec 4. The Judge of the County Court in each county shall be Ex-officio, County superintendent of common schools, and shall perform the duties and have all the powers of such officer, said duties and powers being prescribed by law.

All of which is respectfully submitted.

Ransom Gulley. W. D. Leiper. W. C. Bailey.

On motion the majority and minority reports were laid upon the table, and 500 copies ordered printed.

On motion of Mr Eakin, the Convention then went into Committee of the whole, for the consideration of the article on Franchise and Elections.

The committee rose at 12 o'clock and 30 minutes and Mr Gillgore, chairman, reported to the Convention that the Committee had had under consideration the article on Franchise and Elections, reported progress and asked leave to sit again this evening at 3 o'clock P.M.

The report of the Committee was received.

On motion the Convention took a recess until half past two o'clock this evening.

After the Recess.

The Convention met at 2 o'clock and 30 minutes

The roll was called and the following named members answered to their names.

Anderson of Lee. Anderson of Craighead. Bunch, Butler of Independence, Butler of Pulaski, Berry. Bailey, Bunn Barnes. Blackwell. Brown. Bates. Brown. Cypert of Baxter Cypert of White. Copeland. Cunningham Crowley. Custer. Carroll, Cabler. Carter, Cagle Chisk Norris Dorsett Dodson Catlin Eagle Flanagin. Fishback Gibson. Garland. Gulley Goodwin Howell, Hampton Harrison, Horner. Hughes. Hawkins Johnson Joyner Jones Gillgore, Kinsworthy. Leiper Lucas Lester Lindsey Lake, Mosley, Mansfield. Murphy Miller Nixon Sullivan Patterson Pantney Pierce Perkins Parrott Pulliam Polk Rogers Rees Rector, Rutherford, Reinhardt Smoote. Stanley Scott. Smith of Lafayette. Smith of Saline. Sorrels. Thomason of Crawford. Thomason of Washington. Thompson. Williams of Jefferson. Williams of Little River Williams of Sharp. Williams of Union. White. Walker. Mr Pitt, Mr President

Mr Howell of Johnson on motion of Mr Mansfield of Franklin was excused on account of indisposition.

On motion of Mr Bunn of Ouachita, Mr Kelly of Hot Springs was also excused.

Mr Mansfield of Franklin moved that the Convention go into Committee of the Whole to consider of the article on Franchise and Elections; which was carried

The Convention then went into Committee of the Whole.

At 4 o'clock and twenty five minutes the Committee rose, and Mr Kilgore the chairman informed the convention that the Committee of the whole had had under consideration the article on Franchise and Elections; reported progress, and asked leave to sit again on Monday next, at 10 o'clock AM.

On motion the Convention then adjourned until Monday morning at 8 o'clock

Grandison D Royston
President

Thomas M. Newton
Secretary.

Monday Morning
August 5th 1874.
8 o'clock AM

The Convention met pursuant to adjournment.

The roll was called and the following named members answered to their names.

Anderson of Craighead. Bunch. Butler of Independence
Bailey. Bardin. Blackwell. Brown. Bates. Bryant of
Baxter. Cunningham. Crowley. Custer. Carroll.
Cobler. Carter. Cagle. Boswell. Dodson. Eakin
Eagle. Flanagin. Fishback. Gibson. Garland
Hampton. Harrison. Horner. Hawkins. Johnson
Joyner. Killgore. Leiper Lucas Lindsey
Lake. Morley Miller. Niven. Pattelson
Puntney. Pierce Parrott. Rogers. Rose
Rector Reinhardt. Stanley. Sorrels. Thompson
Williams of Union Williams of Little River Williams of Sharp. Williams
Walker. Witt. Mr President

The following named members failed to answer to their names upon the call of the roll.

Anderson of Lee. Butler of Pulaski. Berry. Dunn
Bowen. Bryant of White. Copeland. Odem. Downs
Gulley. Gordon. House. Hughes. Jones
Kindworthy Lester Mansfield. Murphy. O'Sullivan

Perkins, Pulliam. Polk. Rutherford. Sinnott Scott. Smith of Lafayette. Smith of Saline. Thomason of Crawford. Thomason of Washington. Williams of Jefferson. White.

Prayer by the Chaplain

The following named members appeared in their seats and answered to their names.

Thomason of Washington. Murphy. Butler of Pulaski Kinneworthy. Goldwin. Downs. Hughes. Smith of Saline. Gulley. Rutherford. Williams of Jefferson. Scott.

Mr Leiper of Dallas offered the following resolution. which was referred to the committee on Miscellaneous Provisions.

Resolved. That the Committee on Miscellaneous Provisions be instructed to insert the following section in the miscellaneous provisions of the constitution, viz:

Sec. The General Assembly of the state shall provide by law for establishing and maintaining an asylum for insane persons.

Mr Smoote of Columbia appeared in his seat and answered to his name.

Mr Harrison of Yell offered the following resolution:

Resolved. That the rules governing the convention be so amended as to require the proceedings of the Convention while sitting in Committee of the whole to be spread on the journal of the convention, and the yeas and nays may be called in accordance with the rules governing the convention

Mr Johnson of Calhoun offered the following as an amendment.

"I move as an amendment - That the Convention shall not resolve itself into a Committee of the whole except on the Article on Finance.

On motion of Mr. Killgore the resolution and amendment were laid over until tomorrow.)

Mr Berry of Jefferson, Mr Stone of White, and Mr Perkins of Pulaski appeared in their seats and answered to their names.

Mr Hughes of Monroe offered the following resolution which was referred to the Committee on Rail Roads

and other Internal Improvements.

Resolved. That all Railroads in this state shall be public highways and common carriers.

Mr Leiper of Hall co offered the following which was laid over until tomorrow.

"Amend Rule 19. by adding – "nor shall any member occupy the floor at any one time more than fifteen minutes.

The Convention at 8 oclock and 30 minutes P.M. went into the Committee of the whole to consider of the article on Franchise and Elections

At 11 oclock and 30 minutes arose and made the following report:

Mr President. The Committee of the whole to whom was referred the article on Franchise and Elections beg leave to report, they have had the same under consideration and recommend the following sections, as amended, be adopted.

Franchise and Elections.

Section 1. Every male citizen of the United States or who has declared his intention of becoming a citizen of the same, of the age of twenty one years who has resided in the state twelve months, and in the county six months, and in the voting precinct or ward the month next preceding any election, where he may propose to vote, shall be entitled to vote at all elections by the people.

Section 2. Elections shall be free and equal. No power civil or military shall ever interfere to prevent the free exercise of the right of suffrage, nor shall any law be enacted whereby the right to vote at any election shall be made to depend upon any previous registration of the electors name, or whereby such right shall be impaired or forfeited, except for the commision of a felony, upon lawful conviction thereof.

Section 3. All elections shall be by ballot. Every ballot shall be numbered in the order in which it shall be received, and the number recorded by the election officers on the list of voters opposite the name of the elector who presents the ballot. The election officers shall be sworn or affirmed not to disclose how any elector shall have voted, unless required to do so as witnesses in a judicial proceeding, or a proceedin

to contest an election.

Section 4. Electors shall in all cases (except treason felony, and breach of the peace) be privileged from arrest during their attendance at elections, and going to and from the same.

Section 5. No idiot or insane person shall be entitled to the privileges of an elector.

Section 6. Any person who shall be convicted of fraud, bribery, or other wilful and corrupt violation of any election law of this state, shall be adjudged guilty of a felony, and disqualified from holding any office of trust or profit in this state, and be deprived of the right of suffrage for the term of ten years.

Section 7. No soldier, sailor or marine in the military or naval service of the United States shall acquire a residence by reason of being stationed on duty in this state.

Section 8. The general elections shall be held biennially, on the first Monday of September, but the general assembly may by law, fix a different time.

Section 9. In trials of contested elections, and in proceedings for the investigation of Elections, no person shall be committed to withhold his testimony upon the ground that it may criminate himself or subject him to public infamy; but such testimony shall not be used against him in any judicial proceeding except for perjury in giving such testimony.

Section 10. No person shall be qualified to serve as an Election officer, who shall hold at the time of the election, any office, appointment, or employment in or under the government of the United States, or of this state, or any City or County, or any municipal Board, commission or trust in any city, save only the Justices of the peace and aldermen, notaries public and persons in the militia service of the state. Nor shall any election officer be eligible to any civil office to be filled at an election at which he shall serve, save only to such subordinate municipal or local offices, below the grade of City or County officers as shall be designated by general law

Section 11. If the officers of any election shall unlawfully refuse, or fail to receive, count or return the vote or ballot of any qualified elector, such vote or ballot shall nevertheless be counted upon the trial of any contest arising out of said election.

Section 12. All elections by persons acting in a representative capacity shall be viva voce.

Messrs Jones, Polk, Copeland, White and Lester answered to their names.

The report of the Committee was received and on motion of Mr Mansfield of Franklin, the article on Franchise and Elections was ordered engrossed for a third reading.

The article on Militia reported by the Committee, on motion of Mr Smoote of Columbia was then called up and adopted by the convention, and referred to the Committee on Revision of the Constitution.

The Article as adopted is as follows, to wit;

Militia

Sec 1. The Militia shall consist of all able bodied male persons, residents of the state, between the ages of eighteen and forty five years, except such as may be exempted by the laws of the United States, or this state, and shall be organized, officered, armed and equipped and trained in such manner as may be provided by law.

Sec 2. Volunteer companies of infantry, cavalry or artillery may be formed in such manner and with such restrictions as may be provided by law.

Sec 3 The volunteer and militia forces shall in all cases except treason, felony and breach of the peace, be privileged from arrest during their attendance at muster and the election of officers, and in going to and returning from the same.

Sec 4. The Governor shall when the General Assembly is not in session, have power to call out the volunteers or Militia, or both, to execute the laws, repel invasion, repress insurrection and preserve the public peace in such manner as may be authorized by law.

Mr Eagle moved that the President appoint a Committee of three on Engrossement, which was carried, and the President appointed as such committee, Messrs Eagle of Lowndes, Stanley of Rhea and Williams of Little River.

Mr White of Phillips moved that Mr Jones of Pulaski take the place of Mr J. Pindall on the various committees, which was carried.

Mr Barnes of Pulaski, at his own request was relieved from the Committee on Revision of the Journal, and Mr Dodson of Newton was appointed in his place.

Mr Killgore moved that the convention go into Committee of the whole, at 10 o'clock tomorrow, to consider of the article on Apportionment, - which was carried.

The Convention then adjourned until tomorrow morning at 9 o'clock.

Lyncheon D Shaylor
President pro tempore

Thomas M. Huston
Secretary.

Tuesday Morning.
August 4. 1874
9 o'clock A.M.

The Convention met pursuant to adjournment.

The roll was called and the following named members answered to their names.

Anderson of Lee. Anderson of Craighead, Bunch, Butler of Independence, Berry, Bailey, Blackwell, Bates: Cypert of Baxter, Cypert of White, Cunningham Conley, Custer, Carroll, Cable, Carter, Cagle Chism, Downs. Dunaway, Doswell, Dodson, Eakin Eagle. Flanagin. Fishback, Gibson, Garland, Gulley Gordon. House, Hampton, Hughes. Hawkins. Johnson Joyner. Killgore, Kelly. Kickworthy. Leiper, Lucas Lindsey. Lake, Mosley. Mansfield. Murphy Miller. Niven, O'Sullivan Patterson Pountney. Pierce Perkins, Parrott Polk, Rogers. Ross. Rector Rutherford. Reinhardt; Smoote, Stanley, Scott. Smith of Illine. Sorrels. Thomason of Crawford. Thomason of Washington. Thompson, Williams of Little River. Williams of Shady. White, Walker, Witt, Mr President.

The following named members failed to answer to their names at the call of the roll, viz:
Butler of Pulaski, Barnes. Brown, Brown, Copeland Harrison, Hozier. Jones. Lester, Smith of Lafayette. Williams of Jefferson, Williams of Union.

Mr Bunn. Mr Hanna, Mr Howell, and Mr Pulliam

were absent and excused.

Prayer by the Chaplain.

The proceedings of yesterday were then read and approved.

The following named members appeared in their seats and answered to their names.

Mr Brown, Mr Lester. Mr Williams of Jefferson
Mr Honor, Mr Harrison. Mr Bowen. Mr Smith
of Lafayette. Mr Williams of Union. Mr Barnes

Mr Bunn of Ouachita here appeared in his seat answered to his name and rendered his excuse for his absence on yesterday.

The Convention then passed to the consideration of unfinished business, being the adoption or rejection of the amendment introduced on yesterday, to the resolution introduced by Mr Harrison of Yell, as follows, to wit:

I move as an amendment. — That the Convention shall not resolve itself into a Committee of the Whole, Except on the article on Finance.

The question being put, the amendment was lost.

The question then recurred upon the adoption of the resolution introduced by Mr Harrison of Yell, which is as follows:

Resolved. That the rules governing the Convention be so amended as to require the proceedings of the convention while sitting in Committee of the Whole to be spread on the Journals of the Convention, — and the yeas and nays may be called in accordance with the rules governing the convention.

On motion of Mr Flanagin of Clark, a division of the resolution was put, viz: — That portion of the resolution requiring the proceedings of the Committee of the Whole to be entered at length upon the Journal.

Upon this question Mr Harrison of Yell called for the "ayes and noes".

The call was sustained and the ayes and noes were ordered.

The roll was called, and the following named members voted in the affirmative: —

Bunch. Berry. Bunn. Blackwell, Brown, Bates,

Upsett of White. Carroll. Cubler. Cugle. Dunaway, Eakin, Flanagin. Gulley. Goodwin. House. Harrison Hawkins. Killgore. Kelly. Leiper. Lindsey. Lake Mosley. Murphy. Patterson. Perkins, Ross, Rector. Smoote. Stanley. Scott. Smith of Lafayette. Smith of Saline. Sorrels. Thomason of Crawford. Thomason of Washington. Thompson. Williams of Little River. Williams of Union.

The following named members voted in the negative, viz;

Anderson of Lee. Anderson of Craighead. Butler of Independence. Bailey. Barnes. Brown. Upsett of Baxter. Copeland, Cunningham. Conley. Custer. Carter. Chiem. Downs. Dodson. Eagle. Fishback Gibson. Garland. Hampton. Horner. Hughes. Johnson Joyner. Kinsworthy. Lucas. Lester. Mansfield. Miller Riven. O'Sullivan. Pantney. Pierce. Parrott. Polk Rogers. Rutherford. Reinhardt. Williams of Jefferson Williams of Sharp. White. Walker. Witt and Mr President.

In the affirmative	40
In the negative	44
Not voting	7
	91.

So the resolution was lost.

The question then recurred upon calling of the yeas and nays, in the committee of the whole.

The motion was then put and lost.

The resolution of Mr Leiper of Dallas was then called up for action, — which is as follows;

'Amend Rule 19, by adding, — "nor shall any member occupy the floor at any one time more than fifteen minutes."'

The question being put, the resolution was adopted by a two thirds vote of the convention.

Mr Smith of Lafayette then gave the following notice.

Mr President. I desire to give notice that on tomorrow I shall move to amend rule 19, by adding the words, — "without the unanimous consent of the convention".

Mr Rector of Garland asked that the rules be suspended that she be permitted to introduce an ordinance

The motion being put, the rules were suspended and

Mr Rector introduced the following ordinance.

An Ordinance to suspend Registration in this State.

Whereas, Under existing laws, His Excellency the Governor of this State is on or before the 1st day of August inst, required to appoint registrars whose duty it is to proceed at once to rejected all the electors in this state who are entitled to vote at the coming elections. — and

Whereas, such registration it is estimated would require an expenditure of Fifty Thousand Dollars in currency, and Two hundred thousand dollars if paid in State scrip at its current rates, — and

Whereas, — it is the settled purpose of this convention to dispense with and abolish all registration of votes in State and County elections, —

Therefore,

Be it Ordained by the people of Arkansas in convention assembled;

That all laws or part of laws directing or requiring said registration to be made, are hereby suspended until further action upon that subject is taken by this convention; and that this ordinance take effect and be in force from and after its adoption.

The rules were again suspended, and the ordinance waread the second time.

Mr. Rector moved that the ordinance be referred to a select committee to be appointed by the president with instructions to report their action to the convention on tomorrow morning.

The motion on being put was carried and the President appointed as such committee.

Mr Rector of Garland. Mr Mansfield of Franklin and Mr Boswell of Jackson.

Mr Garland of Nevada, Chairman of the Committee on Counties, County Seats and County Lines made the following report:

Mr President. The standing committee appointed to take into consideration that portion of the constitution relating to Counties, County Seats and County Lines, and to whom was referred sundry petitions and memorials from citizens of several of the counties praying for a removal of county seats, and a change of county lines, have had the same under consideration.

The Committee would state that the petitions and memorials from the citizens aforesaid, set forth the fact

that through the injustice and partiality of past legislatures their county seats have been removed to remote and inconvenient portions of the counties, and their counties shorn of territory to form new counties; and they pray the Convention for a re-establishment of their county seats and county lines.

The Committee have had this portion of the subject under careful consideration, and conclude that it is unwise to recommend special or local legislation for the relief of said counties.

Fully understanding the great inconvenience and injustice resulting to them from partial and hasty legislation in the past, they yet believe that in time many of them may find their remedy under general provisions of the constitution about to be framed, which general provisions, pertaining to the subject under our consideration, the committee would recommend to be as follows, to wit:

Counties, County Seats and County Lines.

Sec 1. No county now established shall be reduced to an area of less than Six hundred square miles, nor shall any new county be established with less than six hundred square miles.

Sec 2. No part of a county shall be taken off to form a new county or a part thereof, without the consent of a majority of the voters in such part proposed to be taken off.

Sec 3. No county seat shall be established or changed without the consent of a majority of the qualified voters of the county to be affected by such change, and until the place at which it is proposed to establish or change any county seat shall be fully designated; provided, that in the formation of new counties the county seat may be located temporarily, and until permanently established by provisions of law

Sec 4. In the formation of new counties, no line thereof shall run within twelve miles of the county seat of the county proposed to be divided.

Sec 5. In counties having, or which may hereafter have two county seats, each district as marked out by the first county court elected under this constitution, shall have its separate county and Probate Court, and a separate term of the Circuit Court, each paying its own expenses as if two counties; provided, that they shall not be two counties in any other respect.

R K Garland
Chairman
Committee on "Counties, County Seats and County Lines"

On motion of Mr Bunch of Carroll, the report of the committee was received, laid upon the table, and two hundred copies ordered printed.

Mr Rector of Garland, Chairman of Select Committee made the following report

To the President and Delegates
of the Constitutional Convention.

Gentlemen,

The select committee of three to whom was referred a resolution directing said committee to visit and inspect the several state departments and ascertain "whether the clerical force in said departments can be reduced in number and curtailed in salary", have in obedience to resolution proceeded to make such inquiries, and ascertain that in the opinion of this committee;

The clerks in the Auditor's office may without material detriment to the public service, be reduced from Eight to four in number - that a similar reduction may be made in the Treasurer's office, and a reduction of from six to three can be made in the office of Commissioner of Immigration and State Lands.

And your committee are also of opinion that efficient men may be obtained to perform these clerical duties in the several departments of state, for the sum of One hundred dollars for the Chief Clerk, and seventy five dollars each, for the remainder, provided their services are paid for in par funds.

All which is respectfully submitted, and they ask to be discharged from the further consideration of the subject

Rector
Chairman, Select Committee.

which on motion of Mr Rector was laid on the table subject to call.

Mr Dunn of Ouachita, Chairman of the Committee on Preamble, Boundaries and Declaration of Rights, made the following report, viz:

Mr President and gentlemen of the Convention.

Your committee to whom was referred the subjects of Preamble, Boundaries, and Declaration of Rights, having had the same under consideration, and having conducted their labors with the greatest care and caution possible under the circumstances; beg leave through me to present to your honorable body, the accompanying pages embodying their report of the matters and things committed to them, and respectfully ask that the same may be received and adopted as an appropriate part of the Constitution now under consideration.

The Chairman of your committee begs leave to

state, that as to most of the matters contained in the accompanying report, all of your committee are unanimously agreed and of one mind. There are however a few points about which there exists some difference of opinion, and regarding which the dissenting members are permitted and requested to make minority reports, or offer amendments as they may elect, and of whose suggestions when made I ask your earnest and careful consideration.

I have the honor to be

Very respectfully, Your Obt Servant
Henry G. Burnett.
Chairman.

Preamble.

We, the people of Arkansas, grateful to Almighty God for the privilege of choosing our own form of government; for our civil and religious liberty, and desiring to perpetuate its blessings and secure the same to ourselves and our posterity, do ordain and establish this Constitution.

Boundaries.

We do declare and establish, ratify and confirm the following as the permanent boundaries of the State of Arkansas, that is to say:

Beginning at the middle of the main channel of the Mississippi River, on the parallel of thirty six degrees of north latitude; running thence west with said parallel of latitude to the middle of the main channel of the Saint Francis River; thence up the main channel of said last named river to the thirty six degrees, thirty minutes of north latitude; thence west with the southern boundary line of the State of Missouri to the south west corner of said last named state: thence to be bounded on the west to the north bank of Red River, as by Acts of Congress and treaties heretofore defining, in so far, the western limits of the Territory of Arkansas; and to be bounded across and south of Red River by the boundary line of the State of Texas as far as to the north west corner of the State of Louisiana, thence easterly with the northern boundary line of said last named state, to the middle of the main channel of the Mississippi River, thence up the middle of the main channel of said last named river, including an island in said river known as "Belle Point Island" to the thirty six degree of north latitude - the place of beginning.

Seat of Government.

The seat of government of the state of Arkansas shall be and remain at Little Rock, where it is now established.

Distribution of Powers.

The powers of the government of the state of Arkansas are and shall forever be divided into three departments — the Legislative, the Executive and the Judicial, and no person belonging to one of these departments shall exercise the powers properly belonging to another, except in the cases expressly and specifically provided in this constitution.

Declaration of Rights.

Section 1. All political power is inherent in the people. Government as instituted for the protection security and benefit of the people, and they have the right to alter or reform the same whenever the public good may require it

Section 2. All men are created equally free and independent and have certain inalienable and inherent rights: among these are life, liberty and the pursuit of happiness. To secure these rights governments are instituted among men, deriving their just powers from the consent of the governed.

Section 3. The equality of all persons before the law is recognized and shall ever remain inviolate; nor shall any citizen ever be deprived of any right, privilege, or immunity nor exempted from any burden or duty on account of race, color or previous condition.

Section 4. The right of the people peaceably to assemble to consult for the common good, and to petition by address or remonstrance the government or any department thereof, shall never be abridged.

Section 5. The citizens of this State shall have the right to keep and bear arms for their common defense.

Section 6 The liberty of the Press shall forever remain inviolate. The free communication of thoughts and opinions is one of the invaluable rights of man: and all persons may freely write and publish their sentiments on all subjects, being responsible for the abuse of such right. In all criminal prosecutions for libel, the truth may be given in evidence to the jury, and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives, and for justifiable ends, the party charged, shall be acquitted.

Section 7. The rights of trial by jury shall remain inviolate, and shall extend to all cases at law without regard to the amount in controversy: but a jury trial may be waived by the parties in all cases, in the

manner prescribed by law.

[Offense] Section 8. No person shall be held to answer a criminal charge unless on the presentment or indictment of a grand jury, except in cases of impeachment, or cases such as the General Assembly shall make cognizable by justices of the peace, and courts of similar jurisdiction: or cases arising in the army or navy of the United States, or in the militia when in active service in time of war or public danger; and no person for the same offence shall be twice put in jeopardy of life or liberty, but if, in any criminal prosecution the jury be divided in opinion, the court before which the trial shall be had, may in its discretion discharge the jury and commit or bail the accused for trial at the same or the next term of said court; nor shall any person be compelled in any criminal case, to be a witness against himself, nor be deprived of life, liberty or property without due process of law. All persons shall before conviction, be bailable by sufficient sureties, except for capital offences, murder and treason, where the proof is evident or the presumption great.

Section 9. Excessive bail shall not be required nor shall excessive fines be imposed, nor shall cruel or unusual punishments be inflicted, nor witnesses be unreasonably detained.

Section 10. In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury in the county in which the crime shall have been committed, provided that the venue may be changed to any other county of the judicial district in which the indictment is found, upon the application of the accused, in such manner as may be prescribed by law: and to be informed of the nature and cause of the accusation against him, and to have a copy thereof; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel in his defense in the circuit and criminal courts of this State.

Section 11. The privilege of the writ of habeas corpus shall not be suspended except by the General Assembly in case of rebellion, insurrection or invasion, when the public safety may require it.

Section 12. No power of suspending or setting aside the law or laws of the State, shall ever be exercised except by the General Assembly.

Section 13. Martial or military law shall never be declared or enforced in this State, or any portion thereof except by the General Assembly in time of war, rebellion

insurrection or invasion.

Section 14. Every person is entitled to a certain remedy in the laws for all injuries or wrongs he may receive in his person, property or character; he ought to obtain justice freely and without purchase, completely and without denial, promptly and without delay, conformably to the laws.

Section 15. Treason against the state shall only consist in levying and making war against the same, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two (2) witnesses to the same overt act, or on confession in open court.

Section 16. The right of the people of this state to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, shall not be violated, and no warrant shall issue except upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized.

Section 17. No person shall ever be imprisoned for debt, in this state.

Section 18. No bill of attainder, Ex post facto or retroactive law, or law impairing the obligation of contracts shall ever be passed, and no conviction shall work corruption of blood or forfeiture of estate.

Section 19. The General Assembly shall not grant to any citizen or class of citizens, privileges or immunities which upon the same terms, shall not equally belong to all citizens.

Section 20. Perpetuities and monopolies are contrary to the genius of a republic and shall not be allowed, nor shall any hereditary emoluments, privileges or honors ever be granted or conferred in this state.

Section 21. No distinction shall ever be made by law between resident aliens and citizens in regard to the possession, enjoyment or descent of property.

Section 22. No person shall be taken or imprisoned, or disseized of his estate, freehold, liberties or privileges, or outlawed, or in any manner destroyed or deprived of his life, liberty or property except by the judgment of his peers or the law of the land. Nor shall any person under any circumstances be exiled from this state.

Section 23. The right of property is before and

higher than any constitutional sanctions; and private property shall not be taken, appropriated or damaged for public use without just compensation being first had therefor.

Section 24. The State's ancient right of eminent domain and of taxation is herein fully and expressly conceded, and the General Assembly may delegate the taxing power with the necessary restrictions to the state's subordinate political and municipal corporations, to the extent of providing for their existence, maintenance and well being but no further.

Section 25. All men have a natural and indefeasable right to worship Almighty God according to the dictates of their own consciences, no man can of right be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent; no human authority can in any case or manner whatsoever, control or interfere with the right of conscience and no preference shall ever be given by law to any religious establishment, denomination or mode of worship above any other.

Section 26. Religion, morality and knowledge being essential to good government, the General Assembly shall enact suitable laws to protect every religious denomination in the peaceable enjoyment of its own mode of public worship.

Section 27. No religious test shall ever be required of any person as a qualification to vote or hold office; - nor shall any person be rendered incompetent to be a witness, on account of his religious belief, but nothing herein shall be construed to dispense with oaths or affirmations.

Section 28. Intelligence and virtue being the safe-guards of liberty and the bulwark of a free and good government, the state shall ever maintain a good and efficient system of free schools wherein all can be educated.

Section 29. All elections shall be free and equal and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage, and no property or educational qualification, or payment of a poll or other tax shall ever be required of any voter to vote at any election in this state, and the citizens shall have the right to have the ballots cast at any elections in this state, counted in their presence, and the result publicly announced by the officers holding the election, before the said officers shall leave the polls and place of voting.

Section 30 There shall be no slavery in this state, nor involuntary servitude except as a punishment for crime. - No standing army shall be kept in time of peace; the military shall at all times be in strict subordination to the civil power, and no soldier shall be quartered in any house or on any premises without the consent of the owner in time of peace, nor in time of war except in a manner prescribed by law.

Section 31. All lands in this state are declared to be allodial, and feudal tenures of every description with all their incidents are prohibited. Leases and grants of lands for a longer period than twenty one years, hereafter made, in which shall be reserved any rent or service of any kind, shall be held a conveyance in fee to the lessee.

Section 32. The enumeration of rights herein contained is a part of this constitution, but shall not be construed to deny to the people any inherent right which they have hitherto enjoyed.
Legislative Acts in violation of and in conflict with this constitution or any part thereof are void, and the judiciary shall so declare them.

Mr President and Gentlemen, The minority of your committee beg leave to ask that the following words may be added at the end of the 19th section of the Declaration of Rights - viz

"No special privileges shall ever be granted by the General Assembly that may not be altered, revoked or repealed thereby."

J J Harrison,
Minority.

The report of the Committee was received, laid upon the table, and five hundred copies ordered printed.

The hour of 10 o'clock having arrived, the convention went into the Committee of the Whole in compliance with the motion on yesterday, to wit: being the consideration of the article on "Apportionment"

The president called Mr Fishback of Sebastian to the chair.

The Committee rose at 1 o'clock and 35 minutes and the chairman made the following report.

Mr President. The committee of the whole to whom was referred the Article on Apportionment instruct me to report, - That the committee has had the same under consideration, and report progress and ask leave to sit again.

The report of the Committee was received

The Convention then at 1 o'clock and 35 minutes P.M. adjourned until tomorrow morning at 9 o'clock

Thomas W. Newton
Secretary

Granderson O Ruyston
President pro tem

Wednesday Morning
Aug 5th A D 1874
9 o'clock a.m.

The Convention met pursuant to adjournment

The roll being called the following named members answered to their names

Anderson, of Lee.	Anderson, of Craighead.		Branch.
Butler, of Independence.	Butler, of Pulaski		Berry.
Bailey.	Benson.	Barnes.	Blackwell.
Bates.	Bowen.	Bypert, of	Baxter. Copeland
Cunningham.	Crowley.	Cocke.	Carroll Cabler
Carter.	Cagle.	Chisum.	Downs. Demaray
Dorsett	Dodson.	Eakin.	Eagle. Flanagan
Fishback	Gibson	Garland.	Gulley. Howell.
Hampton.	Harrison	Horton.	Hughes. Hawkins.
Haines.	Worrell.	Johnson.	Joyner. Killgore.
Kelly.	Kinsworthy	Lefevre.	Lucas. Lieber
Lindsey.	Lake.	Mosley.	Mansfield. Murphy.
Miller.	Nevin	O'Sullivan	Pattison.
Pankey.	Reed	Rector.	Sneed of Pu. Sneed of Cr.

Rogers. Ross. Rector. Rutherford. Bernhardt.
Snook. Stanley. Scott- Smyth, of Lafayette.
Smith, of Salino. Sorrels Thompson, of Crawford
Thompson, of Washington. Williams, of Jefferson.
Williams of Little River. Williams, of Pulaski
Williams, of Union White. Walker. & Mr President

A Quorum of the Convention present.

The following named members were absent at the call of the the roll

Mr Brown, of Clayton Mr Cypert, of White, Mr Thompson, of Woodruff
Mr Witt, of Van Buren.

Mr Goodwin and Mr Pullian were excused.

Prayer by the Chaplain.

The Journals of the proceeding day was read and allowed

Mr Barnes of Pulaski, suggested the death of Col. Sanford C. Faulkner the doorkeeper of the Convention and moved that the Convention adjourn, until to-morrow morning and that the Convention attend the funeral of deceased in a body.

Which motion was carried. And the Convention at 10 o'clock a m adjourned.

Thomas M. Newton
Secretary.

Grandison D Royston
President pro tem

Thursday Morning.
Aug 6th 1874
9 o'clock a.m

The Convention met pursuant to adjournment.

The roll was called and the following named members answered to their names

Anderson & Lee. Anderson & Craighead. Bunch. Butler & Independence.
Butler & Pulaski. Berry. Bailey. Bynum. Blackwell.
Brown. Bated. Brown. Bykert & Baptist.
Bykert & White. Copeland. Cunningham. Crowley.
Cypert. Carroll. Cable. Carter. Eagle.
Johnson. Downs. Dunaway. Doswell. Dodson.
Eakin. Eagle. Flanagan Freeson. Fairback
Gibson. Fakland. Gulley. Goodwin. Horse-
Hampton. Harrison Harmon Hughes. Hawkins.
Hanna Johnson. Kilgore Kinsworthy Lesley.
Lucas. Leslie Lindsey. Lake. Mosley.
Mansfield. Merkley. Miller. Nixon. Patterson.
Pinkney. Price. Perkins. Parrott. Rogers
Ross. Rector. Rutherford. Reinhardt. Stanley.
Scott. Jarrels. Thompson, S Crawford. Thompson & Black-
Singleton. Thompson Williams, S Jefferson. Williams, S Little River
Williams & Sharp. Williams, S Dixon. Walker
White

16 Residents.

The following named members failed to answer to their names.

Bye. Barns. Joyner O'Sullivan Polk. Smoot-
Smith, S Lafayette. Smith, S Saline & White.

A Quorum of the Convention present.

Prayer by the Chaplain.

Mr White, S Phillips. Mr Barnes, S Pulaski. Mr Howell & Johnson appeared in their seats and answered to their names.

Mr Fishback S. Sebastian moved that Sanford C. Faulkner be appointed to fill the vacancy in the office of doorkeeper occasioned by the death of his Father.

Which motion was carried.

The Convention then took up the unfinished business of yesterday, being the consideration of the ordinances introduced by Mr Rector S Garland. Mr Thompson S Woodruff & Mr Howell, S White. touching the financial relations of the State, and the manner and mode of defraying expenses of various departments

Mr Howell, S White introduced the following as a

substitute for the three ordinances as follows. to wit,

Whereas, The depreciation in value of State Treasurers Certificates has rendered it impossible to procure competent Clerks in the various State Offices and to pay the necessary current expenses thereof, without paying a sufficient amount of said Certificates to make the same equal in value to currency.

Whereas, The labor performed by said clerks and current expenses incurred, has been necessary in order to transact the business of said Offices, and said labor having been performed and the expenses incurred under contract with the State Officers at currency prices and,

Whereas, the Auditor of State has audited said accounts as certified and upon said basis, until since the 15th of July 1874, and there is now due and unpaid the Treasurer part of said salaries and accounts for the month of Dec'r, Therefore.

Resolved, That it is the sense of this Convention that the Auditor should, as an act of Justice to laboring men and to carry out the Contracts, audit said accounts for such amounts as the respective Officers may certify as correct and not at variance with their respective reports made to this Convention.

Which on motion of Mr Fishback, of Sebastian was laid upon the table.

Mr Snook, of Columbia then appeared in his seat and answered to his name.

The question then recurred upon the adoption of the original ordinance introduced by Mr Horne, of White

The ordinance was read.

Mr Fishback, of Sebastian, moved to refer the ordinance to the Committee on Finance.

Mr Miller, of Randolph, moved to indefinitely postpone the further consideration of the ordinance.

Which was carried.
And the further consideration of the ordinance was indefinitely postponed.

Mr Killgore, of Columbia moved to lay the substitute offered by Mr Thompson, of Woodruff on the table.

Which was carried.

The question then recurred upon the adoption of the ordinance introduced by Mr Proctor of Garland.

Mr Eakin of Hempstead offered the following amendment.

Amend

After the word "whatever" in 2d line insert "other than funds
Produced from the sale of lands appropriated by Congress for
the use of Public schools"

Mr Williams of Jefferson offered the following amendment
to the amendment offered by Mr Eakin.

Add after the word "whatever" 2nd line the words "other than
the Permanent School funds.

The question being put the amendment was lost.

The amendment as offered by Mr Eakin of Hempstead was
then put.

Mr Eakin called for the "Ayes & Noes" — which call was
sustained.

The roll was then called and the following named Members
voted in the affirmative, viz.

Bunch.	Butler of Independence,	Bailey.	Barnes	
Blackwell.	Bates.	Corbett of Baxter.	Corbett of White.	
Copeland.	Cunningham.	Custer.	Curtis.	Cagle.
Chisum	Dunaway.	Doswell.	Dodson.	Eakin
Eagle.	Flanagin	Emerson	Eichback	Gibson
Gulley.	Horne.	Hornor.	Hughes.	Hawkins
Harkins	Howell.	Johnson.	Joyner	Leipner
Lucas.	Lindsey.	Lake.	Mosley.	Mansfield
Miller.	Nixon.	O'Sullivan	Patterson	Perkins.
Parrott	Polk	Rogers.	Ross.	Rector.
Rutherford	Reinhardt.	Smoot	Stanley	Scott.
Smith of Saline	Thomason of Crawford.		Thomason of Washington	
Thompson.	Williams of Little River.		Williams of Sharp.	
Williams of Union.	White.	Walker, Pitts & Mc President.		

Those voting in the negative were—

Anderson of Craighead.	Butler of Pulaski.	Berry.	Barnes.	
Brown.	Brown.	Crowley.	Carroll.	Cable.
Downs.	Garland.	Goodwin.	Harrison.	Kilgore
Kenworthy	Lester.	Markley.	Printney.	Price
Woods.	Williams of Jefferson.			

In the affirmative — 64

In the negative — 21

Not voting — 6

So the amendment was adopted.

Mr Mansfield of Franklin then offered the following amendment

Amend by adding after the word "Exceed" on 5th line the following:

"And Provided also that this appropriation shall not apply to any part of said balances due at the time of the passage of this Ordinance."

Which was adopted.

Mr Flanagan of Clark then offered the following amendment

And other current expenses of the State accruing after August first, 1874, to be inserted after Law in the third line.

Upon which Amendment the "Ayes & Noes" were ordered.

The roll was called and the following named members voted in the affirmative

Anderson of Craighead.	Butler of Independence	Butler of Pulaski	
Blackwell.	Bryant of Baxter.	Cagle.	
Dowell.	Flanagan.	Gulley.	
Horton.	Hughes	Hawkins.	Hanna.
Joyner.	Lester	Lake	Miller.
O'Sullivan.	Parrott.	Polk.	Rutherford.
Smoot.	Stanley	Thompson.	Williams of Little River
Williams of Shark.	White	& Veit.	

Those voting in the negative were.

Branch.	Berry.	Brown.	Barnes.	Brown.
Bates.	Bowen.	Bryant of Ashley.	White.	Copeland.
Cummingham.		Crowley.	Carter.	Carroll.
Cabler.	Carter.	Chism.	Downs.	Dunaway.
Dodson.	Eakin.	Eagle.	Ericson	Gibson
Garland.	Goodwin.	Horne.	Harrison.	Howell.
Johnson.	Kellogg	Kelley	Kinsworthy	Leiker.
Lucas.	Lindsey.	Morley.	Mansfield.	Murphy.
Moon.	Patterson.	Pumphrey	Pierce.	Perkins
	Rogers.	Ross.	Proctor	Reinhardt
Scott.	South of Saline.	Sorrels	Thomason of Crawford.	
Thomason of Washington.		Williams of Jefferson -		
Williams of Union.		Walker & Mr President.		

For the affirmative 29.

In the negative 54

Not voting. 7.

91

So the Amendment was lost.

Mr Copeland introduced the following Amendment.

Amend Section 2 by adding For Clerk hire in the Office of Commissioner of Public works, the sum of One Hundred and fifty Dollars per month.

Which was adopted.

Mr-Rector, of Garland offered the following amendment.

And That this ordinance shall be so construed as to apply to salaries accruing from and after the 1st day of August A. D. 1874.

Mr Bywell, of White, offered the following amendment to the amendment offered by Mr Rector, of Garland.

And there is also hereby appropriated out of said moneys, a sum sufficient to defray the current expenses of this Convention, except the Mileage, and per diem of Members.

The "Ayes & noes" were called for and sustained.

The Roll was then called and the following named Members voted in the Affirmative.

Butler, of Independence,	Brown.	Blackwell	Bywell, of White.	
Cunningham	Crowley.	Cole.	Dillon.	Dinsmore.
Doswell.	Eagle.	Flanagan.	Frierson.	Gibson.
Garland.	Gulley.	Howie.	Harrison.	Horton.
Hughes.	Hamm.	Howell.	Johnson.	Joyner.
Lucas.	Lake	Mosley.	Mansfield.	Miller.
O'Sullivan.	Parrott.	Polk.	Rutherford	Smoot.
Stanley.	Scott.	Smith, of Saline.	Thomason, of Crawford	
Thomason of Washington.		Thompson.	Williams of Jefferson	
Williams of Little River.		Williams of Sharp	Williams, of Union.	
White	Walker.	Mr President.		

The following named Members voted in the Negative.

Anderson, of	Craighead.	Branch.	Butler, of	Pulaski.
Berry.	Bailey.	Barnes.	Brown.	Bates.
Bowen.	Bywell, of	Baxter.	Copeland.	Custer.
Carroll.	Cabler.	Carter	Downs.	Dodson.
Eakin	Fishback	Goodwin	Killgore.	Kinsworthy
Lefler.	Lester	Lindsey.	Murphy	Niven.
Patterson.	Pumphrey	Price	Perkins.	Rogers.
Ross.	Rector	Reinhardt.	Sorrels.	

In the Affirmative 46.

In the Negative 37.

Not Voting 7

So the Amendment was adopted.

Mr Chism of Barbour sent to the Secretary's desk the following explanation of his vote.

Mr President

I vote "No." because I am opposed to increasing the Salaries of delegates to this Convention.

Mr Frierson of Cross sent to the Secretarys desk the following explanation of his vote

Mr President

I vote for the amendment because I do not think it proper for this Convention to fix the pay of its own members.

Mr Hawkins of Ashley sent to the Secretarys desk the following explanation of his vote.

I vote Yes, because the financial proposition of the gentleman who assumed that three dollars are more than six is so silly, that I am unable to comprehend it.

Mr. Hanna of Conway sent to the Secretarys desk the following explanation of his vote.

I vote "No" because I am opposed to such a reduction of the mileage, and per diem of the Delegates to this Convention as is contemplated by this Section

Mr Killgore of Columbia sent to the Secretarys desk the following explanation of his vote.

I vote "No" because I think it better for the people to pay three dollars than six.

Mr Stanley, of Drew, sent to the Secretarys desk the following explanation of his vote.

Mr President.

I vote "aye" for the following reason that I am opposed to the principal of any Legislative body increasing their pay while in session as would be evident if the members vote themselves Three dollars in Currency when they can take the Three Dollars in Currency and go on the Market and buy less or less Dollars thereby increasing their pay.

Mr Scott of Pope sent to the desk the following explanation of his vote.

I vote-aye because the Act calling the Convention prescribed the per diem and Mileage of its

Members, and that any alteration by this Convention would be directly increasing the salaries of its members which is in violation of the Principles and Precedents established heretofore

Mr Thompson of Woodruff sent to the Secretarys desk the following explanation of his vote.

I vote I because there is a large amount of indebtedness now due by the State which must be immediately settled either in currency or State Scrip at current rates, including clerk hire &c and this money could be used for that purpose and pay an issue of State Scrip to pay said indebtedness on the basis of thirty cents on the Dollar, while the section as it stands allows the Members currency on the basis of fifty cents on the dollar thus exceeding a loss to the State of twenty cents on the Dollar for every Dollar in currency paid the Members.

Mr Rector of Garland offered the following amendment to the 11th Line.

Except to pay off and discharge liabilities which are due and have accrued prior to the adoption of this ordinance

Mr Mansfield offered the following as a substitute which was accepted by Mr Rector.

Amend by adding after the word purpose 11th line "except to pay sums already due and the expenses of this convention excluding the Mileage and per diem of the Members."

Which was adopted.

Mr Fishback offered the following amendment.

The General Assembly shall have the right to appropriate the pining fund tax levied and Collected for the year 1874 for the current expenses of the year 1875.

But after some discussion withdrew the same for the present.

Mr Thomason of Crawford moved to strike out the 7th 8th & 9th lines.

The question being put the motion was carried and the 7th 8th & 9th lines were stricken out

After some further discussion the whole matter was on motion referred to the "Committee on Finance, &c.

Mr Flanagin of Clark Chairman of the Committee on Judiciary made the following Report.

To the Presidents and Members of the Constitutional Convention of the State of Arkansas.

The Committee on the Judicial Department reports herewith an article on the Judiciary for your consideration:

Without saying that it is the best that could be prepared, or that all points have the unanimous approval of the Committee they do say that it is the result of a careful and laborious investigation.

The division of the State into circuits is made necessary by the desired reduction in their number,

Such a division is always difficult - but they congratulate themselves that the division reported seems to give substantial satisfaction (except as to one circuit - upon which division complete in itself) to which will either meet the views of members will be gladly supplied by the Committee;

Article

Judicial Department.

Sec 1st The Judicial power of the State shall be vested in one Supreme Court;

In Circuit Courts, in County and Probate Courts, and in Justices of the Peace. The General Assembly may also vest such Jurisdiction, as may be deemed necessary in Municipal Corporation Courts, and when deemed expedient may establish separate Courts of Chancery.

Sec 2nd The Supreme Court shall be composed of three Judges, one of whom shall be styled Chief Justice any two of whom shall constitute a quorum: and the concurrence of two Judges shall in every case be necessary to a decision.

Sec 3rd When the population of the State shall amount to one million the General Assembly may if deemed necessary increase the Judges of the Supreme Court by law and on such increase a majority of Judges shall be necessary to make a quorum, or a decision.

Sec 4th The Supreme Court except in cases otherwise directed by the Constitution shall have appellate jurisdiction only which shall be co-extensive with the State under such restrictions and regulations

as may from time to time be prescribed by law. It shall have a general superintending control over all inferior and other Courts of law and Equity, and in aid of its appellate and Supervisory Jurisdiction it shall have power to issue writs of Error, and Supercedeas, Certiorari and habeas corpus, prohibition, Mandamus, and quowarranto, and other remidial writs, and to hear and determine the same. The Judges shall be Conservators of the peace throughout the State and shall severally have power to issue any of the aforesaid writs.

Sec 5th In the exercise of original Jurisdiction the Supreme Court shall have power to issue writs of quo-warranto to the Circuit Judges and Chancelors, when created, and to Officers of Political Corporations when the question involved is the legal existence of the Corporations.

Sec 6th A judge of the Supreme Court shall be at least thirty years of age, of good moral character and learned in the law; a citizen of the United States and two years a resident of the state, and who has been a practicing lawyer eight years, or whose service upon the bench of any court of record when added to the time he may have practiced law shall be equal to eight years. The judges of the supreme court shall be elected by the qualified electors of the state and shall hold their offices during the term of eight years from the date of their commissions, but at the first meeting of the court after the first election under this constitution, the judges shall by lot divide themselves into three classes, one of which shall hold his office for four, one for six and the other for eight years, after which each judge shall be elected for a full term of eight years. A record shall be made in the court of this classification.

Sec 7. The supreme court shall appoint its clerk and reporter, who shall hold their offices for six years, subject to removal for good cause.

Sec 8. The terms of the Supreme Court shall be held at the seat of government, at the times that now are or may be provided by law

Sec 9. In case all or any of the judges of the supreme court shall be disqualified from presiding in any cause or causes, the court or disqualified judge shall certify the same to the governor, who shall immediately commission the requisite number of men learned in the law, to sit in the trial and determination of such causes.

Sec 10. The supreme judges shall at stated times receive a compensation for their services, to be ascertained by law, which shall not be after the adjournment of

the next general assembly diminished during the time for which they are elected. They shall not be allowed any fees or perquisites of office, nor hold any other office of trust or profit under the state or the United States

Sec 11. The circuit court shall have jurisdiction in all civil and criminal cases, the exclusive jurisdiction of which may not be vested in some other court provided for by this Constitution

Sec 12. The circuit courts shall hold their terms in each county at such times and places as are or may be prescribed by law.

Sec 13. The State shall be divided into convenient circuits, each circuit to be made up of contiguous counties. For each of which circuits a judge shall be elected, who during his continuance in office, shall reside in and be a conservator of the peace within the circuit for which he shall have been elected

Sec 14. The circuit courts shall exercise a superintending control, and appellate jurisdiction over County, probate, Court of common pleas, and corporation courts, and justices of the peace, and shall have power to issue, hear and determine all the necessary writs to carry into Effect their general and specific powers, any of which writs may be issued upon order of the judge of the appropriate court, in vacation.

Sec 15. Until the general assembly shall deem it expedient to establish Courts of Chancery, the circuit courts shall have jurisdiction in matters of equity, subject to appeal to the Supreme court in such manner as may be prescribed by law.

Sec 16 A judge of the Circuit Court shall be a citizen of the United States, at least twenty eight years of age, of good moral character, learned in the law, two years a resident of the state, and shall have practiced law six years, or whose service upon the bench of any court of record, when added to the time he may have practiced law, shall be equal to six years.

Sec 17. The judges of the circuit courts shall be elected by the qualified electors of the several circuits and shall hold their offices for the term of four years.

Sec 18. The judges of the circuit courts shall at stated times receive a compensation for their services to be ascertained by law, which shall not, after the adjournment of the next session of the general assembly be diminished during the time for which they are elected. They shall not be allowed any fees or perquisites of

office nor hold any other office of trust or profit under the state or the United States.

Sec 19. The clerks of the Circuit Courts shall be elected by the qualified electors of the several counties, for the term of two years, and shall be ex-officio clerks of the county Courts and recorders.

Sec 20. No circuit or other judge shall preside in the trial of any cause in the event of which he may be interested, or where either of the parties shall be connected with him by consanguinity or affinity within such degrees as may be prescribed by law, or in which he may have been of counsel, or have presided in any inferior court.

Sec 21. Whenever the office of judge of the circuit court of any county is vacant at the commencement of a term of such court, or the judge of said court shall fail to attend, the regular practicing attorneys in attendance on said court, may meet at 12 o'clock M on the second day of the term and elect a judge to preside at such court, or until the regular judge shall appear, or when the judge of said court shall become sick or die, or unable to continue to hold such court after its term shall commenced or shall have from any cause be disqualified from presiding at the trial of any cause then pending therein, then the regular practicing attorneys in attendance on said court, may in like manner on notice from the judge, or clerk of said said court, elect a judge to preside at such court, or to try said causes, and the attorney so elected shall have the same power and authority in said court as the regular judge would have had if present and presiding; but this authority shall cease at the close of the term at which the appointment shall be made. The proceedings shall be entered at large upon the record. The special judge shall be learned in the law and a resident of the state.

Sec 22. The judges of the circuit courts may temporarily exchange circuits, or hold courts for each other under such regulations as may be prescribed by law.

Sec 23. Judges shall not charge juries with regard to matters of fact, but shall declare the law, and in jury trials shall reduce their charge or instructions to writing, on the request of either party.

Sec 24 The qualified electors of each circuit shall elect a prosecuting attorney, who shall hold his office for the term of two years and he shall be a citizen of the United States learned in the law, and a resident of the district for which he may be elected.

Sec 25. The judges of the Supreme, circuit or Chancery courts shall not during their continuance in

office practice law, or appear as counsel in any courts, state or federal, within this state.

Sec 26. The general assembly shall have power to regulate by law, the punishment of contempts not committed in the presence or hearing of the courts, or disobedience to process

Sec 27. Until otherwise provided by the general assembly the judicial circuits shall be composed of the following counties;

First.	Phillips. Lee. St Francis. Prairie, Arkansas Woodruff. White and Monroe.
Second.	Mississippi. Crittenden. Cross. Poinsett Craighead. Greene. Clayton and Randolph.
Third.	Jackson, Independence. Lawrence. Sharp. Fulton. Izard and Stone.
Fourth	Baxter. Marion. Boone. Searcy Newton. Madison. Carroll. Benton and Washington.
Fifth	Conway. Pope. Johnson. Franklin Crawford Sebastian. Sarber.
Sixth.	Lonoke. Pulaski. Van Buren and Faulkner
Seventh.	Jefferson. Grant. Hot Springs. Garland Perry. Saline and Yell.
Eighth.	Scott. Montgomery. Polk. Howard Sevier. Little River Pike and Clark.
Ninth.	Hempstead. Lafayette. Nevada. Columbia Union. Ouachita and Calhoun.
Tenth.	Chicot Desha. Lincoln. Drew Ashley. Bradley. Dorsey and Dallas.

Until otherwise provided by the general assembly, the circuit courts shall be begun and held in the several counties as follows.

First Circuit.

White. 1st Monday in February and August.

Woodruff. 2nd Monday after 1st Monday in February and August)

Prairie. 4th Monday after 1st Monday in February and August

Arkansas.	1st Monday in March and September
Monroe.	3d Monday in March and September
St Francis.	2d Monday after the third Mondays in March and September
Lee.	4th Monday after the third Mondays in March and September
Phillips.	5th Monday after the third Monday in March and September

Second Circuit

Mississippi	1st Monday in March and September.
Crittenden.	2d Monday in March and September.
Cross	2d Monday after the second Monday of March and September
Poinsett.	3d Monday after the second Monday in March and September.
Craighead.	4th Monday after the second Monday of March and September
Greene.	5th Monday after the second Monday of March and September.
Clayton	7th Monday after the second Monday of March and September
Randolph	9th Monday after the second monday of March and September.

Third Circuit

Jackson.	1st Monday of March and September
Lawrence.	4th Monday of March and September.
Sharp	2d Monday after the fourth Monday of March and September
Fulton.	4th Monday after the fourth Monday of March and September.
Izard	5th Monday after the fourth Monday of March and September

Stone. 5th Monday after the fourth Monday of March and September.

Independence. 9th Monday after the fourth Monday of March and September.

Fourth Circuit.

Pauter 1st Monday in February and August

Marion. 2d Monday in February and August

Boone 3d Monday in February and August

Searcy 2d Monday after the third Monday in February and August.

Newton. 3d Monday after the third Monday in Febrdary and August

Carroll. 4th Monday after the third Monday in February and August.

Madison. 5th Monday after the third Monday in Febrdary and August.

Benton. 6th Monday after the third Monday in Febrdary and August.

Washington. 8th Monday after the third Monday in Febrdary and August.

Fifth Circuit.

Conway 1st Monday in February and August.

Pope. 3d Monday in February and August.

Johnson. 2d Monday after the third Monday in Febrdary and August.

Yarbel. 4th Monday after the third Monday in Febrdary and August.

Franklin 6th Monday after the third Monday in Febrdary and August.

Crawford. 8th Monday after the third Monday in Febrdary and August.

Greenwood District - Sebastian. 10th Monday after the third Monday in February and August.

Fort Smith District - Sebastian. 1st Monday after the 3rd Monday in February and August.

Sixth Circuit.

In the County of Pulaski on the 1st Monday in February and continue twelve weeks if the business of said court require it.

In the County of Lonoke. on the 1st Monday succeeding the Pulaski Court, and continue two weeks if the business of said court require it.

In the County of Faulkner. - on the 1st Monday after the Lonoke Court, and continue two weeks if the business of said court require it

In the County of Van Buren on the 1st Monday after the Faulkner Court, and continue two weeks if the business of said court require it

Fall Term. Sixth Circuit.

In the County of Pulaski, on the first Monday in October and continue seven weeks if the business of said court require it.

In the County of Lonoke. - on the first Monday next after the Pulaski Court. and continue two weeks, if the business of said court require it.

In the County of Faulkner - On the first Monday after the Lonoke Court, and continue one week if the business of said court require it

In the County of Van Buren. - On the first Monday after the Faulkner Court, and continue one week if the business of said court require it.

Seventh Circuit.

Yell. 1st Monday in March and September.
Perry 3rd Monday in March and September
Saline. 4th Monday in March and September

Garland.	1st Monday after the fourth Monday in March and September
Hot Springs.	3d Monday after the fourth Monday in March and September.
Grant.	4th Monday after the fourth Monday in March and September.
Jefferson.	5th Monday after the fourth Monday in March and September.

Eighth Circuit.

Montgomery	1st Monday of February and August.
Scott.	1st Monday after the first Monday of February and August.
Polk.	2d Monday after the first Monday of February and August.
Sevier.	3d Monday after the first Monday of February and August.
Little River.	5th Monday after the first Monday of February and August.
Howard	7th Monday after the first Monday of February and August.
Pike	8th Monday after the first Monday of February and August.
Clark	9th Monday after the first Monday of February and August.

Ninth Circuit.

Calhoun	1st Monday in March and September
Union	2d Monday after first Monday of March and September
Columbia	4th Monday after the first Monday of March and September
Lafayette	6th Monday after the first Monday of March and September.
Hempstead	8th Monday after the first Monday of March and September.

Nevada.	11th Monday after the first Monday of March and September
Ouachita	13th Monday after first Monday of March and September.

Tenth Circuit.

Lincoln.	1st Monday in February and August
Dorsey.	3d Monday of February and August
Dallas.	1st Monday of March and September
Bradley.	2d Monday of March and September
Ashley.	3d Monday of March and September
Drew	2d Monday after the third Monday of March and September.
Desha.	4th Monday after the third Monday of March and September.
Chicot	6th Monday after the third Monday of March and September

Sec The circuit court shall have jurisdiction upon information, presentment or indictment to remove any county or township officer from office for incompetency, corruption, gross immorality, criminal conduct, malfeasance, misfeasance, or non feasance in office.

Sec. The county courts shall have exclusive original jurisdiction in all matters relating to county taxes, roads, bridges, ferries, paupers, idle & tardy, vagrants, the disbursement of money for county purposes, and in every other case that may be necessary to the internal improvement and local concerns of the respective counties. The county court shall be held by one judge except in cases otherwise herein provided.

Sec. The judge of the county court shall be elected by the qualified electors of the county for the term of two years. He shall be at least 25 years of age, a citizen of the United States, a man of upright character, of good business education, and a citizen of the state for two years before his election, and a resident of the county at the time of his election.

Sec. The justices of the peace of each county shall sit with and assist the county judge in levying the county taxes, and in making appropriations for the expenses of the county, in the manner to be prescribed by law, and the county judge

together with a majority of said justices shall constitute a quorum for such purposes, and in absence of the county judge, a majority of the justices of the Pedee, shall constitute the court, who shall select one of their number to preside.

The General Assembly shall regulate by law, the manner of compelling the attendance of such quorum.

Sec. The terms of the county courts shall be held at the times that are now prescribed for holding the supervisors' courts, or may hereafter be prescribed by law.

Sec. The general assembly may authorize the judge of the County court of any one or more counties to hold severally, a quarterly court of common pleas in their respective counties; which shall be a court of record, with such jurisdiction in matters of contract and other civil matters, not involving title to real estate, as may be vested in such court.

Sec. Appeals from all judgments of the county courts, or court of common pleas when established, may be taken to the circuit court under such restrictions and regulations as may be prescribed by law.

Sec The judge of the County Court shall until otherwise provided by law, be the judge of the court of Probate, and have such exclusive original jurisdiction in matters relative to the estates of deceased persons, executors, administrators and guardians as is now vested in the Circuit Court or may be prescribed by law. He shall be his own clerk until otherwise provided by law in matters of probate, and as such probate judge, hold the regular terms of the court at the times that may hereafter be prescribed by law.

Sec. Appeals may be taken from judgments and orders of the Probate court to the circuit court, under such regulations and restrictions as are now, or may be prescribed by law.

Sec. Whenever a judge of the County or Probate court may be disqualified from presiding in any cause or causes pending in his court, he shall certify the facts to the Governor of the State, who shall thereupon commission a special judge to preside in such cause or causes during the time said disqualifications may continue, or until such cause or causes may be finally disposed of.

Sec. The county judge shall receive such compensation and fees for his services as presiding judge of the county court, judge of the court of Common Pleas when established, as probate judge and clerk as may

be provided by law.

In the absence of the Circuit judge from the county, the county judge shall have power to issue orders for injunctions, and other provisional writs in their counties returnable to the courts having jurisdiction, provided that either party may have such order reviewed by any superior judge in vacation, in such manner as shall be provided by law.

The County judge shall have power in the absence of the Circuit judge from the county, to issue, hear and determine writs of habeas corpus, under such regulations and restrictions as shall be provided by law.

Sec. The qualified electors of each township shall elect the justices of the peace for the term of two years, who shall be commissioned by the governor, and their official oaths shall be indorsed on the commission

Sec For every two hundred electors there shall be elected one Justice of the Peace; but every township, however small, shall have two justices of the peace.

Sec. They shall severally have original jurisdiction exclusive of the circuit court, in the following matters;

1st In all matters of contract where the amount in controversy does not exceed the sum of one hundred dollars excluding interest; — and concurrent jurisdiction in matters of contract, where the amount in controversy does not exceed the sum of two hundred dollars.

2nd Concurrent jurisdiction in suits for the recovery of personal property, where the value of the property does not exceed two hundred dollars

3d Such jurisdiction in Misdemeanors as is now, or may be prescribed by law.

4th To sit as Examining Courts, and commit, discharge, or recognize offenders, to the court having jurisdiction for further trial, and to bind persons to keep the peace, or for good behavior.

5th For the foregoing purposes, they shall have power to issue all necessary process,

6th They shall be conservators of the peace within their respective counties.

Sec. A justice of the peace must be a qualified elector

and a resident of the township for which he is elected.

Sec. Appeals may be taken from the final judgments of justices of the peace to the circuit courts under such regulations as are now, or may be provided by law.

Sec. Corporation courts for towns and cities may be invested with jurisdiction concurrent with Justices of the Peace, in civil and criminal matters, and the General Assembly may invest such of them as it may deem expedient, with jurisdiction of any criminal offences not punishable by death, or imprisonment in the penitentiary, with or without indictment, as may be provided by law; and until the general assembly shall otherwise provide, they shall have the jurisdiction now provided by law.

Sec. Clerks of Chancery Court when created shall be appointed by the Chancellor. The Separate Chancery Court of Pulaski County shall continue in existence, unless the General Assembly shall deem it expedient to abolish it.

Sec. The qualified electors of each county shall elect; One Sheriff
One Coroner
One Treasurer and
One County Surveyor
for the term of two years
with such duties as are now or may be prescribed by law.

Sec. The qualified electors of each township shall elect - a Constable — who shall be furnished by the presiding judge of the County Court, with a certificate of election, on which his official oath shall be indorsed.

Sec. All officers provided for in this Article, except Constable, shall be commissioned by the Governor.

Sec. All writs and other judicial process shall run in the name of The State of Arkansas, bear teste, and be signed by the clerks of the respective courts from which they issue.
Indictments shall conclude "Against the peace and dignity of the State of Arkansas"—

Sec. The qualified electors of the State shall elect - an Attorney General, who shall hold his office for — years, and shall receive an annual salary, and no fees from the state or parties concerned, for his official services.

Sec. Vacancies in all offices provided for in this article shall be filled in such manner as may be provided for by the General Assembly.

Sec All Officers shall continue in office after the expiration of their terms until their successors are elected and qualified.

The report of the Committee was ordered to lay upon the table and 500 Copies be printed.

Mr Branch, of Carroll, Chairman of the committee on Legislative department made the following report

Mr President.

The Committee on Legislative Department have duly considered the several subjects referred to them, and beg leave to submit the following as the result of their labors, and recommend that the same be adopted as a part of the Constitution of the State of Arkansas all of which is respectfully submitted.

Sec 1. The powers of the Government of the State of Arkansas, shall be divided into three distinct departments, each of them to be confided to a separate body of Magistracy, to wit,

Those which are Legislative to one, those which are Executive to another and those which are Judicial to another.

Sec 2. No person or collection of persons being of one of these departments, shall exercise any power belonging to either of the others, except in the instances hereinafter expressly directed or permitted.

Legislative.

Sec 1

The Legislative power of this State shall be vested in a General Assembly which shall consist of the Senate and House of Representatives.

Sec. 2. The House of Representatives shall consist of Members to be chosen every second year, by the qualified electors of the several Counties.

Sec 3. No person shall be a Senator or Representative who at the time of his election is not a citizen of the United States, nor any one who has not been for two years next preceding his Election, an inhabitant of this State and for one year next preceding his Election, an inhabitant of the County or district whence he may be chosen. Senators shall be at least twenty five years of age. and Representatives at least twenty one

years of age.

Sec. 4. The Senate shall consist of members to be chosen every four years, by the qualified electors of the several districts.

Sec. 5. The General Assembly shall meet every two years on the at the Seat of Government until altered by law.

Sec. 6. The Governor shall issue writs of elections to fill such vacancies as shall occur in either house of the General Assembly.

Sec. 7. No Judge of the Supreme, Circuit or Inferior Courts of Law or Equity, Secretary of State, Attorney General, or the State Auditor or Treasurer, Register or Recorder, Clerk of any Court of Record, Sheriff, Coroner Member of Congress, nor any other person holding any Lucrative Office, under the United States, or this State, (Militia Officers, Justices of the Peace, Post Masters and Judges of the County Court excepted) shall be eligible to a seat in either house of the General Assembly.

Sec. 8. No person who now is or shall be hereafter a collector or holder of Public Money, nor any assistant or deputy of such holder or Collector of Public Money shall be eligible to a seat in either House of the General Assembly, nor to any Office of trust or profit until he shall have accounted for and paid over all sums for which he may have been liable.

Sec. 9. No person hereafter convicted of embezzlement of public Money, bribery, forgery or other infamous crime, shall be eligible to the General Assembly, or capable of holding any Office of trust or profit in this State.

Sec. 10. Every person who shall have been convicted directly or indirectly of giving or offering any bribe to secure his election or appointment, shall be disqualified from holding any Office of trust or profit under this State; and any person who shall give or offer any bribe to secure the election or appointment of any person, shall on conviction thereof be disqualified from being an elector or from holding Office of trust or profit under this State.

Sec 11. No Senator or Representative shall during the term for which he shall have been elected be appointed to any civil Office under this State.

Sec. 12. Each house shall appoint its own officers and shall judge of the qualifications, returns, and elections of its own members. A majority of all the members elected to each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as each house shall provide.

Sec 13. Each house shall have power to determine the rules of its proceedings and punish its members or other persons for contempt or disorderly behavior in its presence, enforce obedience to its process to protect its members against violence or offers of bribes, or private solicitations, and with the concurrence of two thirds expel a member but not a second time for the same cause a member expelled for corruption shall not thereafter be eligible to either house and punishment for contempt or disorderly behavior shall not bar an indictment for the same offence. Each house shall keep a Journal of its proceedings and from time to time publish the same, except such parts as require secrecy, and the yeas and nays on any question, shall at the desire of any five of them, be entered on the Journals

Sec 14. The sessions of each house and of Committees of the whole shall be open unless when the business is such as ought to be kept secret.

Sec 15. Whenever an officer civil or military shall be appointed by the joint or concurrent vote of both houses, or by the separate vote of either House of the General Assembly, the vote shall be taken viva voce, and entered on the Journals.

Sec 16. The members of the General Assembly shall in all cases except treason, felony and breach or surety of the Peace shall be privileged from arrest during their attendence at the sessions of their respective houses and in going to and returning from the same. And for any speech or debate in either house they shall not be questioned in any other place

Sec. 17. The members of the General Assembly shall receive such per diem pay and mileage for their services as shall be fixed by law. No member of either house shall during the term for which he was elected receive any increase of pay or for his services under any law passed during such term. The term of all members of the General Assembly shall begin on the first Monday of December after their Election.

Sec. 18. The regular biennial Sessions of the General Assembly shall not exceed sixty days in duration.

Legislation.

Sec 1. The style of the laws of the State of Arkansas shall be; "Be it Enacted by the General Assembly of the State of Arkansas.

Sec. 2. The State of Arkansas shall never be made defendant in any of her Courts.

Sec. 3. No Law shall be passed except by bill, and no bill shall be so altered or amended on its passage through either House as to change its original purpose.

Sec. 4. No bill except General appropriation bills shall be passed containing more than one subject which shall be clearly stated in its title.

Sec. 5 Every bill shall be read at length on three different days in each House, unless the rules be suspended by two thirds of the House, when the same may be read a second or third time on the same day, and no bill shall become a Law unless on its final passage the vote be taken by yeas and nays the names of the persons voting for and against the same, be entered on the Journal and a majority of the members elected to each house be recorded thereon as voting in its favor.

Sec. 6. No amendments to bills by one House shall be concurred in by the other except by a vote of a majority of the Members elected thereto, taken by yeas and nays, and the names of those voting for and against recorded upon the Journals thereof; and reports of Committees of Conference shall be adopted in either House only by the vote of a majority of the members elected thereto taken by yeas and nays and the names of those voting be recorded upon the Journals.

Sec. 7. No Law shall be revised amended, or the provisions thereof extended or conferred, by reference to its title only but so much thereof as is revised, amended extended or conferred shall be reenacted and published at length.

Sec. 8. The General Assembly shall not pass any Local or Special law authorizing the creation, extension or impairing of Liens regulating the affairs of Counties cities, Townships, wards,

boroughs, or school districts; changing the names of persons or places changing the venue in civil or criminal cases, authorizing the laying out opening, altering or maintaining roads, streets or alleys, relating to ferries or bridges, or incorporating any ferry or bridge company except for the erection of bridges crossing streams which form boundaries between this and any other State. Vacating roads town plots streets or alleys, relating to Cemeteries, Grave-Yards, or Public grounds not of the State, authorizing the adoption or Legitimating of children. Locating or changing County Seats, Incorporating cities Towns, or Villages, or Changing their charters, Granting divorces Erecting new Townships Changing town-ship lines or School districts, Changing the Law of descent or succession; Regulating the Practice or Jurisdiction of or changing the Rules of evidence in any Judicial proceedings or enquiring before Courts, Aldermen, Justices of the Peace, Sheriffs, Commissioners Arbitrators, Masters in Chancery or other tribunal, or providing or changing methods for the collection of debts, or the enforcing of Judgements, or prescribing the effect of Judicial Sales of Real Estate; regulating the Fees or Extending the Powers and duties of Aldermen Justices of the Peace Magistrates or Constables, fixing the rate of interest affecting the estates of Minors or persons under disabilities, except after due notice to all parties in entrust to be recited in the special enactment, Exempting property from taxation; regulating Labor, Trade, Mining and Manufacturing; Creating Corporations or amending remedying or extending the charters thereof; and shall the General Assembly indirectly enact such special Law by the partial repeal of a General Law, but Laws repealing local or special acts may be passed, nor shall any Law be passed granting powers or privileges in any case where the granting of such powers and privileges shall have been provided for by General Law, nor where the Courts have jurisdiction to grant the same or give the relief asked for; granting to any Corporation association or individual any special or exclusive privilege, immunity or franchise whatever

Sec 4. In all cases where a General Law can be made applicable no Special Law shall be enacted nor shall the operation of any General Law be suspended by the Legislature for the benefit of any particular Individual Corporation or Association, nor where the Courts have jurisdiction to grant the powers or the privileges or relief asked for.

Sec. 10. No Local or special bill shall be passed unless notice of the intention to apply therefor

shall have been published in the Locality where the matter or the thing to be affected may be situated which notice shall be at least thirty days prior to the introduction into the General Assembly of such bill and in the manner to be provided by Law - the Evidence of such notice having been published shall be exhibited in the General Assembly before such act shall be passed.

Sec 11. No extra compensation shall be made to any Officer, agent, employee or Contractor after the service shall have been rendered or the Contract entered into, nor shall any money be appropriated or paid on any claim the subject-matter of which shall not have been provided for by pre-existing Laws, unless such Compensation or claim be allowed by bill passed by two thirds of the members elected to each Branch of the General Assembly.

Sec. 12. Neither house shall without the consent of the other adjourn for more than three days nor to any other place than that in which the two houses shall be sitting.

Sec 13. That no money shall be drawn from the Treasury except in pursuance of specific appropriation made by Law, the purpose of which shall be distinctly stated in the bill and the maximum amount which may be drawn shall be specified in dollars and cents and no appropriations shall be for a longer period than two years. On the passage of such bills, or in concurring in amendments thereto the separate vote on any item or items thereon shall on demand of any member be had by yeas and nays entered on the Journal, and every such item failing to receive the vote of the required majority of the members elected to the House in which the bill is pending shall be stricken therefrom and each item receiving such majority shall be declared passed.

Sec 14. The General appropriation bill shall contain nothing but appropriations for the ordinary expenses of the Executive, Legislative and Judicial departments of the State. All other appropriations shall be made by separate bills each embracing but one subject.

Sec 15. No taxation shall be allowed or appropriations of money made except to raise means for the payment of debts now due or for defraying the necessary expenses of Government, to repel invasion or suppress insurrection except by

a majority of two thirds of the General Assembly.

Sec 16, No act of the General Assembly shall limit the amount to be recovered for injuries resulting in death, or for injuries to persons or property, and in case of death from such injuries the right of action shall survive, and the General Assembly shall provide for whose benefit such action shall be prosecuted.

Sec. 17. No obligation or liability of any Rail Road or other Corporation held or owned by this State shall ever be exchanged, transferred, remitted postponed or in any way diminished by the General Assembly, nor shall such liability or obligation be released except by payment thereof into the State Treasury.

Sec. 18. When the General Assembly shall be convened in special session, there shall be no legislation upon subjects other than those designated in the proclamation of the Governor calling such session.

Sec. 19. No new bill shall be introduced into either House during the last three days of the session without the unanimous consent of the House in which it originated.

Sec 20. No law changing the Location of the Capital of the State shall be valid until the same shall have been submitted to the qualified Electors of the State, at a general election and ratified and approved by them.

Sec. 21. A member of the General Assembly who shall solicit demand or receive or consent to receive directly or indirectly for himself or for another, from any Company Corporation or person any money, office appointment employment, testimonial reward thing of value or enjoyment or of personal advantage or promise thereof for his vote or official influence, or for withholding the same, or with an understanding expressed or implied that his vote or official action shall be in any way influenced thereby or who shall solicit or demand any such money or other advantage matter or thing aforesaid, or another as the consideration of his vote or official influence, or for withholding the same, or shall give or withhold his vote or influence in consideration of the payment or promise of such money advantage matter or thing to another shall be

held guilty of bribery within the meaning of this Constitution, and shall incur the disabilities, provided thereby for said Offence and such additional punishment as is or shall be provided by law.

Sec 22. Any person who shall directly or indirectly, offer, give or promise any money or thing of value, testimonial, privilege or personal advantage, to any Executive or Judicial Officer or member of the General Assembly to influence him in the performance of any of his public or official duty, shall be guilty of bribery and be punished in such manner as shall be provided by law.

Sec 23. The offence of corrupt solicitation of members of the General Assembly or of public Officers of the State, or of any Municipal division thereof, and every Occupation or practice of solicitation of such members or Officers to influence their official actions shall be defined by law, and shall be punished by fine and imprisonment.

Sec 24. Any person may be compelled to testify in any lawful investigation or judicial proceeding against any person who may be charged with having committed the offence of bribery or corrupt solicitation or practices of solicitation and shall not be permitted to withhold his testimony upon the grounds that it may criminate himself or subject him to public infamy, but such testimony shall not afterwards be used against him in any judicial proceeding except for perjury in giving such testimony and any person convicted of either of the offences aforesaid shall as part of the punishment thereof be disqualified from holding any office or position of honor, trust or profit in this State.

Sec 25. A member of the General Assembly who has a personal or private interest in any measure or bill proposed or pending before the General Assembly shall disclose the fact to the house of which he is a member and shall not vote thereon.

Sec 26. No Citizen of this State shall be disfranchised or deprived of any of the rights and privileges secured to any Citizen thereof unless the same is done

by the law of the land or the judgement of his peers except as herein provided, there shall be neither slavery nor involuntary servitude, either by indenture of apprenticeship or otherwise in this State except for the punishment of crime whereof the party shall have been duly convicted.

The report of the Committee was ordered to lay upon the table and five hundred copies be printed

Mr. Rector of Garland, chairman of the select Committee on Registration, made the following report.

To the President and Delegates of the Constitutional Convention.

Gentlemen - The Select Committee to whom was referred an Ordinance to suspend the Registration laws of this State having had said Ordinance under consideration beg leave to report the same back to the Convention and recommend its adoption.

An Ordinance

To suspend Registration in this State.

Whereas - Under existing laws his Excellency the Governor of this State is on or before the 1st day of August next required to appoint Registrars whose duty it is to proceed at once to register all the electors in this State who are entitled to vote at the coming election and Whereas, such registration is estimated would require an expenditure of fifty thousand dollars in currency and two hundred thousand dollars in paid in State Scrip at the current rates, and Whereas, it is the settled purpose of this Convention to dispense with and abolish all Registration of voters in State and County Elections

Be it ordained by the People of Arkansas in Convention assembled, that all laws or parts of laws directing or requiring said Registration to be made are hereby suspended until further action upon that subject is taken by this Convention and that this Ordinance take effect and be in force from and after its adoption.

Mr. Sowell of the same Committee made the following minority report.

To the President and Delegates of the Constitutional Convention.

Your Committee to whom was referred a proposed Ordinance entitled "An Ordinance to suspend the Registration laws of this State have had the same under Consideration. A minority of said Committee report- That by the Constitution of this State it is required that all electors should be registered before voting that this Constitution remains in force until another is adopted by the people That the proposed Ordinance is in direct conflict with this provision of the Constitution- That however odious the Registration laws may be and however desirable it may be to repeal the same such repeal is not within the proper scope of our powers and duties- but it is advisable for this Convention in all things as far as possible to comply with existing laws & thereby our conduct might be deemed revolutionary, it is therefore recommended that said Ordinance be rejected.

The reports of the Committees were received and laid on the table until to-morrow.

Mr Scott of Pope then submitted the following resolution on behalf of the Delegates of the Convention and asked that it be spread upon the Journal.

Which was granted.

The Committee appointed at an informal meeting of the members of the Constitutional Convention to prepare resolutions touching the decease of Mr Sanford C. Faulkner beg leave to report the following preamble and resolution-

Whereas, Sanford C. Faulkner our countryman has departed this life, and whereas he was distinguished for his kindness of heart, manly courage, unlimited hospitality and generous feeling therefore.

Resolved - That we sincerely regret his decease and deeply sympathize with his afflicted family.

Jno C Homer Scott
D L Gilmore
S P Hughes
H. Flanagin
W J Thompson
D. F. Reinhardt
Wm W. Mansfield

The Convention at 1 o'clock & five minutes on motion of Mr Gilliam of Columbia took a recess until 4 o'clock P.M. this evening.

After the Recess

The Convention met at 4 o'clock P.M.

The Roll was called and the following named members answered to their names

Anderson of Lee. Anderson of Craighead. Bunch.
Butler of Independence. Butler of Pulaski. Bailey.
Barnes. Blackwell. Bynum. Bates. Borden.
Bypass of Baxter. Bypass of White. Cunningham.
Brazeley. Carter. Carroll. Cable. Carter.
Church. Downs. Dunaway. Dowell. Dodson.
Eskin. Eagle. Flanagin. Fishback. Gibson.
England. Felley. Goldsmith. Harrison. Horton
Hughes Hankins. Hanna. Howell. Johnson
Joyner Gilliam. Kinsworthy. Leiper. Lucas.
Lester. Lindsey. Lake. Mosley Mansfield.
Millie. Niven Patterson. Pantney. Price.
Perkins. Parrott. Polk. Rogers. Reed.
Rinkard. Sorrels Stanley Scott. Smith of Saline
Sorrels. Thomason of Crawford. Thomason of Washington
Thompson. Williams of Jefferson. Williams of Little River
Williams of White. Williams of Union. Walker.
Mr President.

The following named members were not present at Roll call.

Cook Berry. Burns. Cokeland. Eagle. Frierson.
Combs. Hampton. Jones Murphy. O'Sullivan.
Ross. Smithfield. Smith of Lafayette & Mr White.

Mr Kelly and Pullam being excused on account of illness

Motion by Mr Horne to proceed to the Convention at 7 o'clock and five minutes & went into the Committee of the whole to consider further of the Article on apportionment.

Mr Fishback of Sebastian was called to the Chair

The Committee arose at 5 o'clock and 35 minutes and made the following report.

Mr President

The Committee of the whole to whom was referred the Article on apportionment instruct me to say that the Committee have had the same under consideration and report progress and ask leave to sit again.

The report of the Committee was received.

The Convention then adjourned until to-morrow morning at 8 o'clock.

Syvendum D Shuptrine
Pres't Con Convention

Thomas W. Newton
Secretary

Friday
Aug 8th 1874
8 o'clock a m.

The Convention met pursuant to adjournment.

The Roll was called and the following named members answered to their names.

Anderson & Lee. Anderson & Craighead Branch.
Butler & Independence Butler & Pulaski. Berry.
Bailey. Bruno. Blackwell. Bates. Brown.
Bynum & Baxter Bynum & White. Copeland.
Cunningham. Crowley. Cessler. Carroll.
Cabler. Carter. Cagle. Chism.
Downs. Dunaway Dodson. Eagle.
Flanagan. Emerson. Freyback Garland.
Gulley. Gordonia Howe. Hampton.
Harrison. Hawkins Hanna Howell.
Johnson Joyner. Killgore Leiper.
Lucas. Lindsey. Lake Mosley.
Mansfield. Niven. Patterson. Pentecy.
Pierce. Perkins Parrott. Polk.
Rogers. Ross. Rutherford. Reinhardt.
Smoot Stanley. Scott. Sorrels.
Thomason & Washington. Thompson. Williams & Jefferson
Williams & Little River. Williams & Sharp
Williams & Union. Walker. Mr President.

The following named members did not answer to their names at the call of the Roll.

Messrs Barnes. Brown. Dowell. Eaken Gibson
Horner. Hughes. Kelley Kinsworthy Lesley
Merkley. O'Sullivan. Rector. Smith & Lafayette.
Smith & Salino. Thomason & Crawford
White & Tutt.

A quorum of the Convention present.—

Prayer by the Chaplain.

Messrs Wilt. Killey. Kenworthy. Murphy. Eakin. Barnes. Gibson & Hooker appeared in their seats. and answered to their names.

The Journal of the preceding day was then read approved.

The Convention then took up the unfinished business of yesterday, being the Consideration of the Ordinance on Registration as reported from the Committee.

Mr Fishback called for the reading of the Ordinance.

The Minority and Majority Reports as well as the Ordinance were read by the Secretary.

Mr Killgore moved that the Majority report be adopted.

The question being put the Motion was carried and the Majority report adopted.

Mr. Bunch, of Carroll then moved that the Ordinance be placed upon its third reading. and passage which Motion was carried.

The Ordinance was then read the third time.

The question being put "Shall the Ordinance on Registration be adopted."

Upon which Mr Fishback, of Sebastian, moved the Previous question" but withdrew the same.

The Secretary called the Roll, and the following named members voted in the affirmative.

Anderson, of Lee.	Anderson, of Craighead.	Bunch.	
Butler, of Independence	Butler, of Pulaski	Bailey	
Bunn.	Blackwell.	Brown.	Bates.
Bowen.	Cypert of Baxter.	Cypert of White.	Cummingham
Crowley	Carter.	Carroll.	Cabler.
Cagle.	Chism.	Dunaway.	Dodson.
Eakin.	Eagle.	Flanagin.	Fishback.
Gibson.	Garland.	Gulley.	Goodwin.
Horne.	Hampton.	Harrison.	Harmon.
Hawkins.	Hanna.	Howell.	Joyner.
Killgore	Kelley.	Kenworthy.	Leiper
Lucas	Lindsey.	Lake.	Mosley,
Mansfield.	Miller.	Niven.	Patterson.
Pierce.	Parrott.	Rogers.	Ross.
Rector.	Rutherford.	Reinhardt.	Smoot
Stanley.	Scott.	Smith, of	Salino Sorels.

Thomason, & Crawford. Thomason, & Washington. Thompson
Williams, & Little River. Williams, & Sharp
Williams, & Union White & Walker Votes.
Mr President.

Those voting in the Negative were.

Berry. Barnes. Copeland Downs. Emerson.
Hughes. Jones. Mowbry O'Sullivan.
Pentney. Perkins. Polk Smith, & Lafayette
Williams, & Jefferson.

Those Members absent and not voting were.

Messrs Carter. Johnson. Luster & Rullain.

In the Affirmative 72.
In the Negative 15
Not voting 4
91.

So the Ordinance was adopted.

The Ordinance as adopted is as follows to wit.

An Ordinance to Suspend Registration in this State.

Whereas, Under existing laws His Excellency - The Governor of this State is on or before the 12th day of August Inst required to appoint Registrars, whose duty it is to proceed at once to register all the Electors in this State who are entitled to vote at the coming election - and,

Whereas, Such registration if so extended would require an expenditure of fifty thousand dollars in currency and two hundred thousand dollars if paid in State Scrip at its Current rates - and -

Whereas, It is the settled purpose of this Convention to dispense with and abolish all registration of voters in State and County Elections. Therefore

Be it Ordained by the People of Arkansas in Convention Assembled - That all laws or parts of laws directing or requiring said registration to be made are hereby suspended & till further action upon that subject is taken by this Convention, and that this Ordinance take effect and be in force from and after its adoption.

Mr. Copeland, of Crittenden, sent the following explanation of his vote to the Secretary's desk.

Mr President.

Believing that our duties and rights are circumscribed and that we should not do anything but what we were sent here to, and that those rights were delegated to us, by those who sent us here under the act calling the Convention and that we should faithfully discharge our duties under that act and do nothing else. Therefore vote No.

Mr Gibson of Arkansas, sent the following explanation of his vote to the Secretarys desk.

Believing this Convention has the power and authority to enact or pass laws or ordinances, and believing that the present registration laws are obnoxious to the people, and believing that the suspension of these laws will save a considerable expenditure to the State of something near one hundred thousand dollars, Therefore I vote Aye.

Mr Hughes of Monroe sent the following explanation of his vote to the Secretarys desk.

I believe the Convention has power to repeal the registration law, and that it is the duty of the Convention to provide the mode of election for the ratification of this Constitution, but do not think it expedient that the registration law should be repealed as the Constitution is not satisfied, for it might fail in case an election this fall for the want of registration.

Mr Jones of Bourbon, sent to the Secretarys desk the following explanation of his vote.

Mr President.

With the few lights before me I am unwilling to place myself on record that this Convention can arrogate to itself Legislative powers. With the further knowledge that the Act creating this Convention Circumscribed the power of said Convention, and the assumption of any other power save that given in the act creating said Convention, would be the establishing of a dangerous precedent not compatible with the principles of a Republican Government, Therefore I vote No.

Mr Lindsey of Searcy, sent the following explanation of his vote to the Secretarys desk.

Mr President.

I have seen the awful and corrupt results of our registration laws until I have become disgusted

and now I am fully prepared to vote for its suspension hoping that the time is close at hand when we will get entirely rid of it thereby ridding the State of great expense and the people of great wrong consequently I vote "G."

Mr Perkins of Pulaski sent to the following explanation of his vote to the Secretarys desk.

Mr President

I vote nay for the following reason, to wit first because it is usurpation of power second because this Convention is without Legislative power.

Mr Smith of Saline sent to the Secretarys desk the following explanation of his vote.

I vote aye, because the present registration, is founded on a Constitutional provision requiring registration which without trespassing on the powers of the Legislature, I think Constitutional for this Convention to do.

Mr White of Phillips sent to the Secretarys desk its following explanation of his vote.

Mr President

I vote for the adoption of the Ordinance under consideration with the understanding that the Ordinance is adversary only and that by this means we can save to the people over fifty thousand dollars which I deem to be a matter of vital importance to the people in their impoverished Condition.

Mr Eaton of Hempstead moved that the Convention go into the Committee of the whole to consider further of the article on apportionment.

Which was Carried.

And the Convention at 11 o'clock and 30 minutes went into the Committee of the whole.

At 2 o'clock and 30 minutes the Committee rose and made the following report.

Mr President

The Committee of the whole to whom was referred the article on apportionment have had the same under consideration and report the same back to the Convention with the following amendments and recommend its adoption. Viz

Apportionment.

Sec 1. The House of Representatives shall consist of not less than seventy-three and not more than one hundred Representatives. Each County now organized shall always be entitled to one representative, the remainder to be apportioned among the several counties according to the number of adult male inhabitants taking ten thousand as the ratio until the number of representatives amounts to one hundred when they shall not be further increased, but the ratio of representation shall from time to time be increased so increasing, provided so that the Representatives shall never exceed that number - And until the enumeration of the inhabitants is taken by the United States Government A.D. 1880, the Representatives shall be apportioned among the several counties, as follows:

The County of Arkansas shall elect one Representative

The County of Ashley shall elect one Representative

The County of Benton shall elect two Representative.

The County of Boone shall elect one Representative.

The County of Bradley shall elect one Representative

The County of Baxter shall elect one Representative

The County of Calhoun shall elect one Representative

The County of Carroll shall elect one Representative

The County of Chicot shall elect one Representative

The County of Columbia shall elect two Representatives

The County of Clark shall elect two Representatives

The County of Conway shall elect one Representative

The County of Craighead shall elect one Representative

The County of Crawford shall elect one Representative

The County of Cross shall elect one Representative.

The County of Crittenden shall elect two Representative

The County of Clayton shall elect one Representative

The County of Dallas shall elect one Representative

The County of Desha shall elect one Representative.

The County of Drew shall elect one Representative
The County of Dorsey shall elect one Representative
The County of Franklin shall elect one Representative
The County of Fulton shall elect one Representative
The County of Faulkner shall elect one Representative
The County of Grant shall elect one Representative.
The County of Green shall elect one Representative
The County of Garland shall elect one Representative
The County of Hempstead shall elect two Representatives
The County of Hot Springs shall elect one Representative
The County of Howard shall elect one Representative
The County of Independence shall elect two Representatives
The County of Izyard shall elect one Representative
The County of Jackson shall elect one Representative
The County of Jefferson shall elect three Representatives
The County of Johnson shall elect one Representative
The County of Lafayette shall elect one Representative
The County of Lawrence shall elect one Representative
The County of Little River shall elect one Representative
The County of Lonoke shall elect two Representatives.
The County of Lincoln shall elect one Representative
The County of Lee shall elect two Representatives.
The County of Madison shall elect one Representative
The County of Marion shall elect one Representative
The County of Conroe shall elect one Representative
The County of Montgomery shall elect one Representative
The County of Mississippi shall elect one Representative
The County of Nevada shall elect one Representative,

The County of Newton shall elect one Representative
The County of Ouachita shall elect two Representatives
The County of Perry shall elect one Representative
The County of Phillips shall elect three Representatives
The County of Pike shall elect one Representative.
The County of Polk shall elect one Representative
The County of Pope shall elect one Representative.
The County of Prairie shall elect one Representative
The County of Pulaski shall elect four Representatives
The County of Prairie shall elect one Representative
The County of Randolph shall elect one Representative
The County of Saline shall elect one Representative
The County of Sebastian shall elect two Representatives
The County of Scott shall elect one Representative.
The County of Searcy shall elect one Representative
The County of Sebastian shall elect two Representatives
The County of Sevier shall elect one Representative
The County of Sharp shall elect one Representative
The County of St. Francis shall elect one Representative
The County of Union shall elect one Representative.
The County of Union shall elect two Representatives
The County of Van Buren shall elect one Representative
The County of Washington shall elect three Representatives.
The County of White shall elect two Representatives.
The County of Woodruff shall elect one Representative
The County of Yell shall elect one Representative.

Sec. 2. The Legislature shall from time to time redistrict the State into Convenient Senatorial districts;

in such manner that the Senate shall be based upon the adult male inhabitants of the State; each Senator representing an equal number as nearly as practicable, and until the enumeration of the inhabitants is taken by the United States Government, A. D. 1880. the districts shall be arranged as follows.

The Counties of Green, Craighead and Clayton shall compose one district, and elect one Senator.

The Counties of Randolph, Lawrence and Sharp shall Compose one district and elect one Senator.

The counties of Carroll Boone and Newton shall compose one district and elect one Senator.

The counties of Johnson and Pope shall compose one district and elect one Senator.

The county of Washington shall compose one district and elect one Senator.

The counties of Independence and Stone shall compose one district and elect one Senator.

The counties of Woodruff St Francis Cross and Crittenden shall compose one district and elect one Senator.

The counties of Yell and Sarber shall Compose one district and elect one Senator.

The counties of Saline Garland Hot Springs and Grant shall compose one district and elect one Senator.

The counties of Pulaski and Perry shall Compose one District and elect Two Senators

The County of Jefferson shall compose one District and elect one Senator.

The counties of Lonoke and Prairie shall Compose one District and elect one Senator

The counties of Arkansas and Monroe shall Compose one District and elect one Senator

The counties of Phillips and Lee shall Compose one district and elect one Senator.

The counties of Desha and Chicot shall Compose one District and elect one Senator.

The counties of Lincoln Desey and Dallas shall compose one District and elect one Senator

The counties of Queen and Ashley shall compose one district and elect one Senator.

The counties of Bradley and Union shall compose one district and elect one Senator.

The counties of Calhoun and Ouachita shall compose one District and elect one Senator.

The counties of Hempstead and Nevada shall compose one district and elect one Senator.

The counties of Columbia and Lafayette shall compose one district and elect one Senator.

The counties of Little River Sevier Howard and Polk shall compose one district and elect one Senator

The counties of Fulton Izard Marion & Baxter shall compose one district and elect one Senator

The counties of Benton and Madison shall compose one district and elect one Senator,

The counties of Crawford and Franklin shall compose one district and elect one Senator,

The counties of Van Buren Conway and Pearcy shall compose one district and elect one Senator.

The counties of White and Faulkner shall compose one district and elect one Senator.

The counties of Sebastian and Scott shall compose one district and elect one Senator,

The counties Poinsett Jackson and Mississippi shall compose one district and elect one Senator

The counties of Clark Pike and Montgomery shall compose one district and elect one Senator,

And the Senate shall never consist of less than thirty nor more than thirty five members.

Section 3. Senatorial districts shall at all times consist of contiguous territory and no county shall be divided in the formation of a senatorial district,

Section 4. The division of the state into senatorial

districts and the appportionment of the representatives to the several counties shall be made by the general assembly at the first regular session after each enumeration of the inhabitants of the State by the federal or the state Government shall have been ascertained, and at no other time.

Mr O'Sullivan of Pulaski offered the following motion.

I move to recommit the report of the committee on appportionment to that committee with the following instructions

That they report back to the convention an article on appportionment basing representation upon population giving each county one representative for every four thousand (4000) inhabitants and one for every moiety of four thousand (4000) and giving to each county at least one representative.

Which was declared out of order.

The report of the committee was received.

Mr Smith of Pulaski offered the following amendment.

And before and on same line add after inhabitants in fourth line taking two thousand as the ratio until the number of Representatives amount to one Hundred when they shall not be further increased but the ratio of Representation shall from time to time be increased as herein after provided so that the representatives shall never exceed that number

Upon the amendment the "ayes and noes" were ordered

The roll was called and the following named members voted in the affirmative

Bunch Butts of Pulaski. Bailey Barnes Blackwell Brown Cypert of White Copeland. Curtis Carroll Cabler Eagle. Elisin. Doswell Eakin Gulley Gordeun House Hughes. Hanna Horrell Hulgore Leiper Lucas Lake Mansfield Murphy Miller Pumroy Pierce. Parrott Rose Rector Rutledge Reinhardt Scott Smith of Saline Thomason of Crawford Thomason of Washington Williams of Union Wacker White & Mr President

The following named members voted in the negative

Anderson of Lee. Anderson of Craighead Bunn. Bunn. Bunn Bates (Spunk of Baxter) Crowley Carter Downs. Dunaway Dodson Eagle. Flanagin Fraser Fishback Gibson Garland Humphries Harrison Horner Hawkins Johnson Joyner Jones Kelley Kinsworthy Lindsey Mosley Niven Oglesbee Patterson Perkins. Peek Rogers. Lincoln Stanley Lincoln of Lafayette Sevier. Thompson. Williams of Little River Williams of Izard. White.

For the affirmative	44
For the negative	43
Not voting	4
	91

So the amendment was adopted

Mr Thomas of Conway offered the following amendment

Change latter part of second line so that it will read as follows: Each county that is now or may hereafter be organized &c.

which was rejected.

Mr Bunn of Ouachita moved that the article on Boundaries and declaration of Rights be made the special order for 10 o'clock a. M tomorrow. Carried.

The convention then adjourned until 10 o'clock tomorrow morning at nine o'clock

Thomas M. Newton
Secretary

Greenbury D Hogston
Pres. chief Con Convention
Ark

Saturday Morning
August 9th 1874

9. O'Clock.

The Convention met pursuant to adjournment.

The Roll was called and the following named members answered to their names.

Anderson of Lee. Anderson of Craighead Bunch. Bunn of Independence. Burks of

Pulaski, Bury. Bailey Bunn Barnes. Black
Bell. Brown. Bates. Bowen. Bryant of
Bates Bryant of White, Copeland. Cunningham
Crowley. Custar Carroll Cobler Cagle
Christ Downs. Dunaway. Doswell Dodson
Eakin. Eagle. Flanagan. Freeman. Fishback
Gibson Garland. Gardenin Stone Hampton
Harrison. Stowe Hughes. Hawkins Hanna
Howell. Jno. Killgore Kelley Kincannon Leiper
Lucas Lindsey Lake Mosely Mansfield
Murphy. Miller Patterson Pruitney Price
Parrott. Polk Rogers Ross. Rutherford
Reinhardt Smith Stanley Scott Smith of
Lafayette Sorrels. Shumard of Crawford Thomas
of Washington. Thompson Williams of Leake
Rivers Williams of Sharp Williams of Union
White Walker Witt & Mr President.

The following named members failed to answer to their names at the call of the roll.

Mrs Joyner Johnson O'Sullivan Reclor Smith of Saline & Williams of Jefferson.

Mrs. Gulley Lesley Irwin Perkins and Pulliam were excused on account of sickness.

Prayer by the Chaplain.

The journal of the preceding day was then read and approved

Mr Witt of Van Buren moved that the Convention take up the article on apportionment and adopt it as a whole.

Mr Smith of Lafayette asked leave to offer an amendment

Which was granted.

Amend by giving "Two Representatives to Lafayette County in place of one"

Upon which amendment the "ayes and noes" were ordered.

The secretary called the roll and the following ordered members voted in the affirmative

Bunch. Burton of Pulaski Bury Bunn
Barnes Bluckhead Bates Bryant of
White Copeland Downs. Edkin & Hand
Johnson Jno. Killgore Mosely

Mansfield, Murphy Ocullerian. Quitney
Polk. Ross. Scott. Smith of Lafayette
Sevis. Thomason of Crawford Williams of
Jeffrson. Williams of Clark. & Walker.

Those voting in the negative were

Anderson of Lee. Anderson of Craighead. Barker of Independence
Bailey. Brown. Brown. Bryant of Baxter. Cunningham
Crowley. Custer. Carroll. Cable. Carter. Eagle.
Chism Dunaway. Dougall. Dodson. Engle. Flanagen
Ferguson. Fishback. Garland. Goodwin. Horne.
Hughes. Hawkins. Howell. Joyner. Kelley.
Kingsworthy. Leiper Lucas. Lindsey Lake.
Miller. Patterson. Price Parrott Rogers. Rector
Rutherford. Reinhardt. Smoote. Stanley. Thomason of Washington. Thompson. Williams of Union
White White. & Mr President.

In the affirmative 30.
In the Negative 57

Not voting 10
97

So the amendment was lost.

Mr Bryant of White sent to the Secretarys desk the following explanation of his vote.

While I am disposed to dereading from the rule established by this Convention, upon this article I believe in this particular case there is good reason for the exception

Mr Harrison, of Ark sent to the Secretarys desk the following explanation of his vote.

I vote "aye" because I believe the apportionment as agreed on in Committee of the whole is unjust discriminating so as to give, two Representatives to several Counties having no larger population than many other Counties allowed only one.

Mr Ross of Clark sent to the Secretarys desk the following explanation of his vote.

Believing Lafayette County is entitled to two Representatives by her population I vote "aye"

Mr Scott of Pope sent to the Secretarys desk the following explanation of his vote.

Mr President

Because I abhor, deprecate and

of/ore injustice and wrong, and to evidence to the people of Lafayette county, that although her representations heretofore have been foremost in doing injustice and wrong in advocating the extermination and abolishment of the County of Pope, (which I represent) contrary to law and in violation of the Constitution thereby, destroying her identity and representation as a County, that the people of Pope County are too honorable and magnanimous to do injustice even to those who have withheld it from them, consequently I as her delegate in this body vote "Aye".

Mr Fishback moved that the article on apportionment be placed upon its final passage.

The question being put shall the report of the article on apportionment be adopted as a whole.

The Secretary called the Roll and the following named members voted in the affirmative.

Anderson, of Lee. Anderson, of Craighead, Bunch. Butler of Independence. Bailey. Brunn. Blackwood. Brown. Bated. Bowen. Copelin, of Baxter. Copelin of (White) Cummings, Crowley. Austin. Carroll. Cabler. Carter. Cagle. Chism. Armaway. Dorsett Dodson. Eakin. Eagle. Flanagin. Davison. Fishback. Gibson. Garland. Gordevin. Horne Hampton Hannon. Hughes. Hawkins. Hanna. Howell. Johnson. Joyner. Killgore. Kelley. Kinsworthy Leiper. Lucas. Lindsey. Lake. Mosley. Mansfield. Miller. Patterson. Pentecy. Price. Carroll. Polk. Rogers. Ross. Rector. Rutherford. Reinhardt Senoots. Stanley. Scott. Smith, of Salin Sorrels Thomason, of Crawford. Thomason of Washington) Thompson. Williams, of Jefferson. Williams, of Little River. Williams of Sharp. Williams of Marion. White. Walker. Witt. Mr President.

Those voting in the negative were

Butler, of Pulaski. Berry. Barnes. Copeland. Downs. Harrison. Jones. Murphy. O'Sullivan & Smith

Mr Copeland, of Crittenden sent to the Secretarys desk the following explanation of his vote.

Mr President

I came to this Convention expecting that I would be able to support each and every

article, but owing to what I conceive to be injustice to my County and the people that sent me here I can not vote for the adoption of this article because I would be recreant to the trust imposed in me I vote: No.

Pending the call of the vote first had, Mr Williams of Jefferson, Mr Bullock and Mr Johnson of Ark. arrived in their seats and answered to their names

On motion of Mr White, of Phillips, the article on apportionment was then ordered engrossed for a third reading.

Mr Leiper, of Dallas obtained leave to introduce the following resolution and petition.

Resolved.

That the Committee on Miscellaneous Provisions be requested to incorporate in the Miscellaneous Provisions of the constitution a clause regulating the matters complained of in the petition herewith presented.

To the Honorable Convention of the State of Arkansas

Your petitioners citizens of Jefferson County respectfully represent that in the new Constitution about to be presented to the people of the State for ratification you will provide that no school teacher shall hold any position in the school board that the trustee shall not be teacher and employer and as in duty bound will ever pray &c

E. M. Walker,
James M. Ealy
Rufus A Taylor
John Gracie
and twenty one others.

Which was referred to the Committee on Miscellaneous Provisions"

Mr Williams, of Little River introduced the following petition, which was referred to "Committee on Counties, County seats and County lines

To the Honorable President and Members of the Convention now in session at the city of Little Rock, State of Arkansas.

The undersigned petitioners qualified

electors of Little River County in said State respectfully protest against your Honorable body removing the county site of Little River County from its present location to the town of Richmond in said County. Because we have a Court House and Jail erected at the present County site

2nd Because the County is very much embarrassed her scrip selling from ten to twenty cents on the dollar.

3rd Because the present County site is equally as practicable a point as the town of Richmond

4th Because we believe a large majority of the voters of said County are in favor of moving the County site to the centre of the County as soon as the County shall sufficiently recover from her present embarrassments.

5th Because we believe the locating and moving of county sites should be left to the voters of the County.

Your petitioners therefore pray your Hon Body to insert an article in the Constitution providing that the locating and removing County sites shall be done by a majority vote of the qualified electors of the County and will ever pray &c

Henry A Hawkins
Wm D. Hawkins.
Burrell Hawkins
Geo Barton
J L Dollarhell
and six hundred & six others

Mr Eagle of Lonoke chairman of the Committee on engrossment made the following report

Mr President

Your Committee on Engrossment have examined article on "Franchise and Elections" and find the same correctly engrossed.

The report of the Committee was received.

Mr Eagle moved that the article on "Franchise and Elections" be placed upon the third reading and passage.

Mr O'Sullivan, of Pulaski moved to strike out of Sec 2. "all" after the word ballot.

Mr Eagle arose to a point of order, That the article was upon its third reading and not subject to amendment

The point of order was sustained

The question then recurred upon the passage of the article.

The roll was called and the following named members voted in the affirmative.

Anderson of Lee. Anderson of Craighead. Branch.
Butler of Independence. Bailey. Benson
Blackwell. Brown. Bates Bowen.
Coffee of Bayles. Cypert of Izard. Copeland.
Cunningham. Crowley. Custer. Cable.
Cypert. Eagle. Chilcutt Dunaway. Dowell
Dodson. Eakin. Eagle. Flanagin. Fulton.
Fishback Gibson. Garland Goodwin. Howell
Hampton. Horton. Hughes. Hawkins.
Hanna. Howell. Johnson. Joyner. Jones.
Gilson. Kelley. Kingsworthy. Lusher. Lucas.
Lindsey. Lake. Mosley. Mansfield.
Miller. Patterson. Quinney Price. Parrott
Polk. Rogers. Ross. Rector Rothrock
Reinhardt. Smoot. Stanley. Scott. Smith of
Lafayette.) Smith of Calhoun. Sorrels. Thomason
Ft Crawford) Thompson. Williams of Jefferson
Williams of Little River. Williams of Izard
Williams of Union. White. Walker of Polk
and Mr President.

Those members voting in the negative were

Butler of Pulaski Berry. Barnes. Downs.
Murphy & O. Sullivan.

In the affirmative 79.
In the negative 6
Not voting 6
91.

So the article on franchise and elections was adopted. and referred to the committee on revision and arrangement of the constitution

Mr Thomason of Crawford then presented the following memorial. viz.

To the senate and House of Representatives
of the United states
Congress Your Memorialists the people of the

State of Arkansas in constitutional convention assembled beg leave to remind you that the act of Congress providing payment for stores and supplies taken by or furnished for the army of the United States from loyal citizens residing in states declared in insurrection against the United States, approved 6 March 3d. 1871, expired by limitation two years thereafter; and to state that said act so expired before many meritorious claims of citizens of the state of Arkansas had been filed through ignorance of the law owing to a want of facilities for obtaining information in districts remote and difficult of access on the part of numbers of them, and the frauds of spurious agents who after obtaining them claims failed to file them, on the part of others.

And your memorialists ask that the time for filing said claims be extended for one year: Also that the law regulating the manner of proving said claims be amended so as to be in conformity with regulations of the Quartermasters and Commissary department requiring proof in cases of like claims arising in and being presented by citizens of the loyal states: and your Memorialists will ever pray."

Resolved that the secretary of this convention be directed to furnish certified copies of the forgoing memorial, one to the President of the Senate and the Speaker of the House of Representatives of the congress of the United States, and one to each member of said congress from the state of Arkansas.

Which was read the first second and third times under a suspension of the rules, and adopted.

Mr Fishback of Sebastian chairman of the committee on Finance, presented the following ordinance which was read the first time and laid over until tomorrow.

Ordinance

Be it ordained by the people of the state of Arkansas in Convention assembled.

Sect. 1. That the United States currency and the United State Bonds now in the Treasury of this state belonging to the school and other funds of this state except moneys derived from the proceeds of the sale of lands donated to this state by the United states for school purposes be and are hereby borrowed to defray the necessary

current expenses of the several departments of this state.

Section 2. That the expenses of this convention except the mileage and per diem of delegates and also the necessary expenses of the several departments of the state Government which shall accrue after the passage of this Ordinance except the salaries of the state officers shall be paid out of said fund, provided that the several state officers entitled otherwise provided by law shall not be entitled to more than the following amount per month to-wit.
That of the Governor. $500. per month.
That of the secretary of state $340 per month
That of Commissioner of state lands $325 per month
That of Commissioner of Public works $310 per month
That of auditor $320. per month.
That of the Treasurer $300. per month.

Section 3. That the salaries of all clerks and employees in the various departments of the state Government which are now due or which may hereafter accrue shall be paid out of said fund provided, that first class clerks shall hereafter receive until otherwise provided by law the sum of one hundred dollars per month. And second class clerks the sum of seventy five dollars per month.

Section 4. That the office of the auditor shall be entitled to (3) three first class clerks and two second class clerks
The office of Treasurer to two (2) first and two (2) second class clerks
The office of Commissioner of Immigration and state lands to one (1) first, and one (1) second class clerk.
The office of secretary of state to one (1) first and one second class clerk.
The office of Commissioner of public works to two second class clerks

Section 5. That the auditor shall issue no warrants on the Treasurer for materials or supplies furnished or labor performed or on any other account unless he shall be satisfied that the account presented is at customary rates therefor in currency.

Section 6 That the Treasurer of this state shall not after the adoption of this Ordinance issue any state scrip Treasurers certificates or other evidences of indebtedness in payment of any liability of this state which shall accrue after the adoption of this ordinance except for the salaries of state officers payable out of the state Treasury, and the mileage and per diem of delegates of this

convention.

The President laid before the convention the following report from D. R Berry Auditor of State in response to a resolution of the convention.

Hon G. D Royston

President of the Constitutional Convention

Dear Sir.

I have the honor herewith to transmit detailed statement of warrants drawn upon the state Treasury for ordinary expenses of the state Government dating from October 1st 1872. to June 30th 1874. together with statements of amounts received and expended from January 1st 1874 to May 20th 1874 and the amounts then in the Treasury up to which time I have received report

Very Respectfully

Your obt servant

D. R. Berry

Auditor of State.

The hour of ten o'clock having arrived the convention passed to the consideration of the special order of the day viz. The article on Boundaries and declaration of Rights"

Mr Horner of Phillips offered the following amendment.

Insert after Bulletpoint 6 and "And all other land originally surveyed and included as a part of the territory or state of Arkansas."

Which was agreed to.

Mr Flanagin of Clark offered the following amendment

Amend the clause under the head of Boundaries in the Eight line after the word "States" by striking out "hereto defining" and by inserting "existing January 1st 1837."

Mr Thomason offered as a substitute the following. "The Boundaries of this state shall be and remain the same as they were defined in the constitution of Eighteen Hundred and Thirty six"

The question being put. the substitute was lost.

The question then recurring upon the amendment

Mr Eakin moved to add the word defining

after the year 1837.

Which was accepted by Mr Flanagin and the amendment as amended was adopted.

Mr Smith of Saline moved to strike out that part of the article locating the seat of government.

Upon which Mr Reeder of Garland offered the following amendment.

"until otherwise directed by law"

which was not agreed to.

The question then recurred upon the motion of Mr Smith of Saline to strike out.

Mr Reeder of Garland offered the following additional amendment. "Provided that the seat of Government may be changed by a two thirds vote of all the members elect of both Houses of the general assembly

Upon which amendment the "ayes and noes" were ordered

The secretary called the roll and the following named members voted in the affirmative

Appleby of White, Crosley Cubley, Dunaway Eaton Engle. Fishback Hudson, Howell, Khoulowsky Lindsey Lake Mansfield Pierce Reeder Scott, Smith of Saline Steele Thomason of Crawford. Thomason of Washington. Williams of Little River Walker.

Those voting in the negative were.

Anderson of Lee, Anderson of Craighead Bruce Bullen of Independence. Bullen of Pulaski Bury Bailey of Bunn. Barnes Blackwell Bates Brown Cypert of Bayle Copeland Cunningham, Cowell Carter Cagle Chism Dennis Doswell Dodson Frierson Gibson Garland. Gordwin Hunse. Hamp ton Horner. Hughes. Hawkins Hanna Johnson Jones. Killgore Kelley Lisenbee. Lucas Mosely Murphy Miller Oscelliveau Patterson Pumtney Pandet Peek Rogers Ross Rutherford Rinhardt Smith Stanley Pulaski of Lafayette, Thompson Williams of Jefferson Williams of Sharp. Williams of Union. Willard Mr President

In the affirmative	22
In the negative	59
Not voting	10
	91.

So the amendment was lost,

The question then recurred upon the original motion to strike out. which on being put was Lost.

Mr. Anderson, of Lee then offered the following.

The seat of Government of the state of Arkansas shall be and remain at Little Rock where it is now established unless upon a vote of a majority of the qualified electors of the State.

Which being put was not agreed to

Mr Thomason of Crawford, moved to strike out the words "where it is now established." which was not agreed to.

Mr Smith of Saline moved to strike out the "Cause of distribution of Power"

Which was not agreed to.

Mr Fishback of Sebastian moved to strike out the words "as Person belonging to"

Which was not carried.

Mr Smith of Saline then offered the following Amendment.

Amend by striking out "or" on second line and insert "alter reform or abolish," and strike out all after Same in third line and insert in such manner as they may think proper, so that whole section shall read:

Sec 1. All Political Power is inherent in the people; Government is instituted for the protection security and benefit of the people and they have the right to alter reform or abolish the same in such manner as they may think proper.

Which on being put was not agreed to.

Mr Smith of Saline then offered the following amendment to Section 2.

Sec. 2. Strike out "all" between "Rights" in Second line and "to" in same line and insert "Amongst" which are those of enjoying and defending life and liberty of acquiring possessing and protecting property and reputation and of pursuing

their own happiness.

Which was adopted.

Mr Mansfield of Franklin then moved to reconsider the vote had on the amendment offered by Mr Smith of Saline St Section 1. Upon which motion the "ayes and noes" were ordered.

The Secretary called the roll and those voting in the affirmative were.

Anderson of Lee. Branch. Buttle of Independence
Burrus. Barnes. Blackwell. Brown.
Bates. Bowen Bryant of Bapte
Cunningham. Custer. Carroll. Carter.
Carter Cagle. Chism Dorris Dunaway
Doswell. Eagle. Fairson Fishback
Gibson. Hogue. Harrison. Horner Hughes.
Hanson. Howell. Joyner. Kelley Leiper.
Lucas. Landrey. Lake. Mosley
Mansfield Mundy Miller Patterson.
Pendery, Price Parrott. Reed.
Stanley Scott. Smith of Lafayette
Smith of Saline. Thomason of Washington
Crawford) Thomason of Washington
Thompson. Williams of Jefferson
Williams of Little River. Williams of Sharp
Walker Watt & Mr President

Those voting in the negative were

Anderson of Craighead. Butler of Pulaski. Berry.
Bailey. Copeland. Cooper. Eakin
Flanagin. Garland. Goodwin Hawkins.
Jones. Kilgore. Kinsworthy. O'Sullivan
Bennett. Polk. Rogers. Ross. Williams of
(Union)

For the affirmative 59.
For the negative 20
Not voting 12.
91.

So the motion to reconsider was carried.

The Convention then took a Recess until 4 o'clock P.M.

After the Recess.

The Convention met at 4 o'clock P.M.

The Roll was called and the following named members answered to their names.

Anderson of Lee. Anderson of Craighead. Bunch. Butler of Independence.
Butler of Pulaski. Bailey. Benton.
Barnes. Blackwell Brown. Bates. Bowen.
Bryant of Baxter. Garland Cunningham Crowley.
Crister. Carroll. Cable. Carter Cagle
Chism. Downs Dunaway. Dowell.
Dodson. Eakin. Eagle. Frierson.
Fishback Gibson. House. Harrison
Horton. Hughes. Hawkins. Hanna.
Howell. Johnson Joyner Jones.
Kilgore. Kelley Kinsworthy. Lafser.
Lucas. Lester Lindsey. Lake.
Mosley. Mansfield. Mcinstry. Miller,
O'Sullavan Patterson, Kentucky. Pierce
Parrott. Polk. Rogers. Rector
Retherford. Smoot. Stanley. Scott.
Smith of Saline Sorels. Thomason of Crawford.
Thomason of Washington Thompson. Williams of
Jefferson, Williams of Union. White. Walker
& Mr President.

Those members failing to answer to their names were

Berry. Flanagin. Garland. Gulley. Perkins. Ross.
Reinhardt. Smith of Lafayette Williams of Little River.
Williams of Shark. & Wilt.

Mr Bryant of Izard. Goodwin & Hampton were excused

The amendment of Mr Smith of Saline to Section one of the Article on Boundaries and Declaration of Rights was then taken up.

Upon which the ayes and noes were ordered

The Roll was called and the following named members voted in the Affirmative.

Anderson of Lee. Bunch. Butler of Independence
Blackwell. Bates. Bowen. Cunningham.
Crister. Carroll. Carter Cagle. Chism.
Dowell. Eagle. Gibson. House Harrison
Horton. Hughes. Hanna. Howell Joyner.
Kelley. Lafser. Lester. Lake. Mansfield
Miller Pierce. Parrott. Ross. Rector.
Retherford. Stanley. Scott. Smith of Saline
Sorels Thomason of Crawford & Thomason of Washington
Thompson. Walker. Wilt. & Mr President.

Those voting in the negative were —

Anderson, Craighead, Butler, Independence, Battle, Pulaski, Bailey, Berry, Bunn, Brown, Cypert, Napier, Copeland, Crowley, Cable, Downs, Dunaway, Dodson, Eakin, Frierson, Fishback, Hawkins, Gillgore, Kelley, Lucas, Lindsey, Morley, Murphy, O'Sullivan, Patterson, Pinkney, Polk, Rogers, Smoot, Williams, Jefferson, Williams, Marion) & White.

For the Affirmative 41

For the Negative 32.

Not voting 18/91

So the Amendment was adopted.

Mr Dunaway & Faulkner moved to strike out of Section 3 on line three the words "on account of race color or previous condition" and insert, "Not borne by any other class of citizens"

Which was rejected.

Mr Smith of Saline offered the following Amendment to Sec 4.

Sec 4. Strike out all after "to" and insert "apply by petition address or remonstrance" to those invested with the powers of government, for redress of grievances or other proper purposes, shall never be abridged

Which on being first was not agreed to.

Mr Hawkins of Ashley offered the following Amendment

Sec. 6. Strike out all after "liberty" in the 6th line to "nor" in the 8th line.

Which was lost.

Mr Eakin moved to strike out the words "murder & treason" from 11th line Sec 8.

Which was carried.

Mr Anderson of Lee then offered the following amendment

Move to Amend the 4th line after the word "thereof" by adding the words "and to be confronted by the witnesses against him."

Which was Adopted.

Mr Hawkins of Ashley offered the following

In 7th line strike out all after "defence" to the end of the 8th line in sect 10.

Also amend by adding thereto offered as a substitute as follows

Sect. 10. Strike out all after "and" in 4th line and insert "to be heard by himself and his Counsel"

Which was accepted by Mr Hawkins and adopted.

Mr Snowden of Columbia then offered the following substitute for Sec. 13.

Amend Section 13. by striking out the whole section and inserting in the place thereof the following words.

"Section 13. All martial law shall never be declared or enforced in this state by the authorities thereof.

The convention then adjourned until monday morning at 8 o clock.

Thomas W. Hewlett
Secretary

Wm D Simpson
President Con Con.

Monday morning
8. o clock
August 10 th 1874.

The convention met pursuant to adjournment.

The roll was called and the following named members answered to their names.

Anderson of Craighead, Bunch, Bailey, Bunn, Barnes, Blackwell, Bates, Brown, Bynum of Bastin, Cunningham, Crowley, Custer, Carroll, Cable, Carter, Cagle, Dennis, Dunaway, Eakin, Eagle, Frierson, Fishback, Gibson, Garland, Gulley, Horne, Hampton, Harrison, Hemer, Hawkins, Hanna, Howell, Joyner, Kelley, Kinsworthy, Leiper, Lucas, Lindsey, Lake, Mosely, Miller, Pattison, Pantely, Pierce, Parrott, Rogers, Ross, Rutherford, Snowden, Stanley, Thomason of Crawford, Thomason of Washington, Williams of Jefferson, Williams of Clatte River, Williams of Sharp, Williams of Union, Walker, and Mr President.

Those members failing to answer to their names at the call of the roll are as follows

Anderson of Lee, Bullen of Independence, Bullen of Pulaski, Bunn, Brown, Bynum of White, Chism, Doswell, Doddin, Flanagin, Hughes

Johnson. Jones Kilgore Mansfield Murphy
Osullivan. Perkins Pulliam Polk. Rector
Reinhardt Scott. Smith of Lafayette Smith of
Calvin Sorrels. Thompson White & Witt.

Mr Gordon was excused.

Prayer by the chaplain.

Mr Thompson and Mr Murphy appeared in their
seats and answered to their names.

The journal of Saturday was then read corrected
and approved.

The following named members appeared in their
seats and answered to their names.
Berry. Copeland. Kilgore Butler of Pulaski
Dodson Doswell Hughes. Anderson of Lee. Witt
Polk. Scott. Pulliam Chism Sorrels. Smith
of Calvin Brown Johnson. & Cagle.

Mr Thompson of Crawford Chairman of the
Committee on Exemptions made the following
report

Mr President

Your committee on Exemptions
having maturely considered divers resolutions
propositions and suggestions referred to them
by the convention and otherwise, have been
unable to agree to a unanimous report. A
majority of the committee however has instructed
me to report the Article herewith submitted
and to ask for it the favorable consideration
of the convention.

Respectfully
M. F. Thompson
Chairman

Exemptions

Sec 1

The personal property of any resident of this State who
is not married or the head of a family in specific articles to
be selected by such resident, not exceeding in value the sum of
two hundred dollars, shall be exempt from seizure on attachment
or sale on execution or other process from any court.

Sec 2. The personal property of any resident of this State who is
married, or the head of a family in specific articles to be
selected by such resident not exceeding the sum of seven
hundred and fifty dollars, shall be exempt from seizure
on attachment or sale on execution or other process from
any Court.

Sec. 3. The Homestead of any resident of this State who is married or the head of a family, shall not be subject to the lien of any judgement or decree of any court or to sale under execution, or other forced sale, except such as may be rendered for purchase money, or laborers or mechanics lein, for improving the same or for taxes or a trust fund.

Sec. 4. The Homestead outside of any city, town or village, shall consist of not exceeding one hundred and sixty acres of land, with the improvements thereon to be selected and occupied by the owner, provided the same shall not exceed in value the sum of two thousand dollars.

Sec. 5. The homestead in any city, town or village, shall consist of not exceeding one-half acre with the improvements thereon to be selected and occupied by the owner But such homestead shall not exceed in value the sum of two thousand dollars.

Sec. 6. If the owner of a homestead die leaving a widow, the same shall be exempt; as in section three and the rents and profits shall accrue to her benefit during her natural life, unless she be owner of a homestead in her own right or elect to take dower in the lands of her deceased husband.

Sec. 7. The homestead of a family after the death of the owner thereof, shall be exempt from the payment of his or her debts, except as excepted in section three during the minority of his or her children.

Sec. 8. The real and personal property of any femme covert in this State acquired either before or after marriage whether by gift, grant, inheritance, devise or otherwise, shall so long as she may choose to and remain her separate estate and property and may be devised, bequeathed or conveyed by her the same as if she were a femme sole, and the same shall not be subject to the debts of her husband.

Sec. 9. The General Assembly may provide for the time and mode of scheduling the separate property of married women.

Sec. 10. The exemptions contained in the Constitution of 1868, shall apply to all debts contracted since the adoption thereof and prior to the adoption of this Constitution.

Mr Gibson of Arkansas, a member of the same committee made the following minority report:

Minority Report

We the undersigned members of the Committee on Exemptions differing with the Majority on some very material and as we deem very important points in regard to the Law of exemptions, and especially that no valuation should be placed on the homestead beg leave to submit the following minority report and ask its serious consideration by the Convention

Respectfully Submitted
James A Gibson
H. G. P Williams.

Exempted Property.

Sec. 1. The personal property of any resident of this State who is married, or the head of a family, to the value of seven hundred and fifty dollars, or if not married two hundred dollars, to be selected by such resident shall be exempt from seizure on attachment, or sale on execution or other process from any Court issued for the collection of any debt, contracted after the adoption of this Constitution.

Sec. 2. The homestead of any resident of this State, who is a married person or the head of a family and owns and occupies the same, not exceeding one hundred and sixty acres of land - and the dwelling and appurtenances thereon to be selected by the owner thereof, and not in any town, city, or village or any lot in any town city or village, with the dwelling and appurtenances thereon owned and occupied by said resident shall be exempt from sale on execution or other final process, from any court, but no property shall be exempt from sale for taxes, for the payment of the purchase money for erection of improvements, or labor performed thereon recorded, that the exemption of the homestead herein provided for shall not be extended to persons who may be indebted to the State, County, Township or other trust funds -

Sec. 3. If the owner of a homestead die leaving a widow, but no children and who has no separate homestead in her own right, the same shall be exempt and the rents & profits thereof shall accrue to her benefit during her natural life, Provided, that if the owner leave one or more children, said child or children shall share with said widow, and be entitled to half of the rents and profits accruing from said homestead during minority, such childs rights to cease at majority, and his or her share shall revert to the younger children, when all of the childrens rights shall cease then all the homestead shall inure to the use, benefit of the widow during her life

Sec. 4. The homestead of a family after the death of the

owner thereof, there being no widow, shall be exempt from the payment of all debts during the minority of his or her children, they to share the rents and profits thereof equally whether they reside thereon or not.

Sec. 5. The real and personal property of any female in the State, acquired either before or after marriage whether by gift, grant inheritance, devise or otherwise shall so long as she may choose, be and remain the separate property and estate of such female and may be devised bequeathed or otherwise disposed of by her, the same as if she were a feme sole.

Sec. 6. The exemptions contained in the Constitution of 1868 shall apply to all debts contracted during the existence of said Constitution.

Mr Killgore, of Columbia, moved that both reports lay upon the table and 300 copies of each be printed

Mr Harrison, of Cell moved that the reports lay upon the table, and that he be granted time, to file additional Minority reports as member of the Committee

Which was granted.

Mr Fishback, of Sebastian, Chairman of the Committee on Finance, made the following report.

To the Constitutional Convention of the State of Arkansas.

Your Committee to whom was referred the matters of Finance, Taxation Public Debt and Expenditures have instructed the undersigned to report as the result of their labors the subjoined article and to recommend its incorporation in Your new Constitution

Your Committee in view of the difficulties of their task, and the size of the Committee, have reached their conclusions with singular unanimity on all questions except that which relates to the illegal and fraudulent portion of our public debt.

The Minority of the Committee feeling a disinclination to take any step which might have even the appearance of repudiation, prefer to accomplish the end by an indirect expedient

On the other hand the majority have found themselves unable to appreciate either the expediency or the morality of doing that which they regard as right as if they felt it were wrong.

If as the majority are convinced from overwhelming testimony the State is under neither legal nor moral obligation nor yet ever under

obligations of honor. To pay the illegal and fraudulent bonds issued contrary to the wishes of the people while they were - and notoriously - under duress, then it is an act of justice alike to the people of the State, and to its honest creditors that we frankly and openly refuse to pay them and the majority of the Committee have instructed the undersigned to report accordingly.

It has been suggested by some that the question arising out of these illegal and fraudulent bonds be left to future Legislatures or Tribunals for action. But in the opinion of the majority as the action of one General Assembly would not be binding on any other General Assembly such a course would leave our finances in a state of too great uncertainty and doubt.

Still another minority are of opinion that we are under an obligation to pay about one hundred and thirty thousand dollars of what are known as the "Holford Bonds." The majority however are forced to the conviction, that in the interest as well of justice as of sound morals, the obligation is quite the reverse - that indeed we owe it to the people of the State - not less than to her honest creditors to pay any part of them.

The subject which has brought to your Committee, the greatest amount of difficulty and labor and discussion is the floating debt of the State. The question as to how the current expenses of the State are to be met, and the outstanding debt taken up, without enhancing the already too oppressive burdens of the people, is one which enlisted the earliest and most earnest deliberations of your Committee.

After long and laborious discussions of the many plans submitted your committee are of the opinion that the system adopted in the subjoined article is the only feasible solution of the problem, and it is with a feeling somewhat akin to pride that during the inclusion to which your Committee have arrived in this regard, became known to the leading stock holders of this city, there has been a gradual and steady appreciation in its value.

Your Committee would therefore respectfully recommend to your Honorable Body a careful Consideration of the proposed system as a whole before entering upon the discussion of any of its Parts.

Very Respectfully
Submitted
G. W. Feikbock
Chairman.

Articles

Finance and Taxation.

Sec 1 Neither the State nor any city, County, town or other Municipality in this state shall ever loan its credit, or issue its bonds or other interest bearing evidences of debt for any purpose whatever.

Sec. 2. The faith of the State being pledged for the payment of its debts, in order to provide therefor, there shall be created a sinking fund after the year A D 1878 which shall be sufficient to pay the accrued and accruing interest on such debt; and annually to reduce the same; and such fund shall be used for no other purpose.

Sec. 3. In justice alike to the people of Arkansas and to her honest creditors the General Assembly shall have no power ever to levy any tax or to make any appropriation to pay either the principal or interest or any part thereof of the following illegal and fraudulent bonds of Arkansas or any part thereof to wit.

Rail Road aid Bonds issued or that may be hereafter issued under an act of the General Assembly of the State of Arkansas. entitled "an Act to aid in the Construction of Rail Roads" approved July 21st A D. 1868. Levee Bonds issued under an act of the General Assembly of the State of Arkansas entitled "An Act providing for the building and repairing of the public Levees of the State and for other purposes" approved March 16th A D 1869 and the supplemental acts thereto approved April 12th A D 1869. and the Amended Act entitled "An Act to amend an Act" entitled "An Act providing for the building and repairing of the Public Levees of this State" approved March 23rd A D 1871. And the Bonds issued under an act of the General Assembly of the State of Arkansas entitled "An Act to provide for the funding of the Public Debt of the State" Approved April 6th A D 1869, and numbered from four hundred and ninety one to eighteen hundred and sixty inclusive being the "Funding Bonds" delivered to T. W. Caper and commonly known as the "Holford Bonds" and any law or act levying such tax or making such appropriation or authorizing the same to be made or levied shall be void.

Sec. 4. The moneys of the State over and above the necessary reserve for paying the current expenses shall be used in the payment

of the debt of the State either directly or through the sinking fund, and the proceeds of the sinking fund shall never be invested in or loaned upon the security of any thing except the bonds of the United States & the outstanding recognized bonds of this State

Sec 5. The making of profits out of public moneys or using the same for any purpose not authorized by Law by any officers of the State member or officer of the General Assembly shall be punished as may be provided by law. But part of such punishment shall be disqualification to hold office in this State for a period of five years.

Sec. 6. The General Assembly shall fix the salaries and fees of all officers in the State and the payment of any greater salary to any officer employee or other person than that fixed by law, in money or in evidences of debt, at any other rate than at par value, shall be a misdemeanor and punishable as may be provided by law. But part of said punishment shall be disqualification to hold office in this State for a period of two years, provided, that the number and salaries of the clerks and employees of the different departments of the state shall be fixed by law;

Section 7. All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws. But the general assembly may by general laws, exempt from taxation public property used for public purposes, actual places of religious worship; places of burial not used or held for private or corporate profit, and institutions of purely public charity, and public institutions of learning.

Section 8. All laws exempting property from taxation other than the property above enumerated shall be void.

Section 9. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the state shall be a party.

Section 10. The general assembly shall not have power to levy state taxes for any one year to exceed in the aggregate one per cent of the assessed valuation of the property of the state for that year. Provided that after the year A. D. 1878. such taxes shall not exceed in the aggregate one half of one per cent

Section 11. No county City or town shall levy a tax to exceed one half of one per cent, for all purposes of current expenses, but may levy an additional one half of one per cent to pay indebtedness existing at the

time of the adoption of this constitution, and not in that case, except by a vote of the people.
In addition to the aforesaid state and county tax there shall be levied for school purposes an annual poll tax of one dollar on every qualified voter.

Section 12. The general assembly may by general law authorize school districts to levy a tax not to exceed five mills on the dollar for school purposes.

Section 13. The taxes of counties towns and cities shall only be payable in lawful currency of the United States or the orders or warrants of said counties towns or cities respectively.

Section 14. No tax shall be levied except in pursuance of law. and every law imposing a tax shall state distinctly the object of the same and no money arising from a tax levied for one purpose shall be used for any other purpose.

Section 15. No money shall be paid out of the Treasury until the same shall have been appropriated by law. and then only in accordance with said appropriation.

Your committee respectfully recommend as a part of their general plan, the passage of the following ordinance.

Be it ordained by the people of Arkansas in Convention assembled. That the general assembly of the state of Arkansas shall appropriate the sinking fund tax levied and collected for the year A.D 1874 to defraying the current expenses of the state for the years A.D 1875 and 1876.

The report of the committee was received, ordered to lay upon the table and five Hundred copies be printed.

Mr Dunlavin and Mr Perkins answered to their names.

Mr Eagle of Lonoke chairman of the committee on engrossment made the following report.

Mr President

Your committee on engrossment have examined article of apportionment and find the same correctly engrossed.

Mr Eagle moved that the article on

appportionment be read the third time and put upon its passage

which was carried.

The roll was then called, and the following named members voted in the affirmative

Anderson of Lee. Anderson of Craighead Bunch Butler of Independence Bailey. Bumm Bynum Balis Bowen Cypert of Boyle Cunningham Conley Curtis Carroll Cobler Carter Cagle Chism Dunaway Doswell Dodson, Eakin Eagle Flanagin Frierson Fishback Gibson Garland Gulley Hosse Humphries Horner Hughes. Hawkins Harbin Howell Johnson Joyner. Killgore Kelley Kinsworthy Leiper Lucas. Lindsey Lake Moseley Mansfield. Middleton Patterson Pruitt Pierce Parrott Pulliam Poe Rogers Ross Rutherford Smoot Stanley Scott Smith of Saline Sorrels Thomason of Crawford. Thomason of Washington Thompson Williams of Jefferson, Williams of Little River. Williams of Sharp Williams of Union White Walker Witt. & Mr President

Those voting in the negative were.
Butler of Pulaski. Barnes Copeland
Dennis. Harrison. Jones. Murphy
Sullivan and Perkins.

In the affirmative 73,
In the negative 10
Not voting 8
91

So the article on apportionment was adopted.

Pending the call of the roll just had Reps Jones and White happened in their seats and answered to their names.

The article on Boundaries and declaration of Rights was then taken up as unfinished busines

The substitute offered by Mr Smoot of Columbia for section 13 being under consideration

Mr Flanagin by Clerk offered the following Amendment.

Martial Law shall not be declared or enforced in this State or any portion thereof except by the Legislature power in time of rebellion insurrection or invasion or if in the recess of the General Assembly then the Governor may by proclamation convene the Legislature at a time more than thirty days distant and in the meantime declare martial law.

upon which, amendment

Mr Killgore of Columbia called for the previous question.

The call was sustained and the previous question ordered

The "ayes and noes" were called for and ordered

The secretary called the roll and the following named members voted in the affirmative.

Anderson of Craighead. Butler of Independence Bunn Crowley Dunaway. Flanagin Garland Hampton. Harrell Joyner Kimsworthy Miller Nash of Calhoun. and Williams of Little River.

Those voting in the negative were.

Anderson of Lee. Balch Butler of Pulaski Berry. Bailey Bunn Barnes. Bates Bowen Cypert of Benton Copeland. Cunningham Crain Carroll Cabler. Carter Cagle Chism. Doswell Dodson. Eakin Eagle Freeman Fishback Gibson Gulley Horne Harrison Horner Hughes Hawkins Holmes Johnson Jones. Killgore Haley Lupo Lucas Lindsey Lake Mosely Mansfield Murphy Sullivan Patterson Pumtney Pierce Perkins. Parrott Pulliam Polk Rogers Ross. Rutherford Smoot Stanley Scott Sorrells Thomason of Crawford Thomason of Washington Thompson. Williams of Jefferson. Williams of Chalk. Williams of Union, White Walker Witt. and Mr President

In the affirmative	14
In the negative	60
Not Voting	17
	91

So the amendment was Lost.

The question then recurred upon the adoption of the substitute.

The "ayes and noes" were ordered.

The Secretary called the Roll and the following named members voted in the affirmative.

Anderson of Lee. Butler of Pulaski. Berry. Bunn. Barnes Brown. Bates. Copeland Carroll. Crabbe Carter Doswell Flanagan Frierson Gibson Gulley. Hampton. Harrison Horner Hawkins. Jones. Killgore. Leiper. Lake. Mosley. Mansfield. Murphy. O'Sullivan Pumtney. Perkins. Polk. Rogers. Ross.

Smoot, Sorrels, Thomason, of Crawford, Thomason, of Washington,
Williams, of Jefferson, Williams, of Union, White
& Mc-President.

Those voting in the negative were,

Anderson, of Craighead, Bunch, Butler, of Independence,
Bailey, Bolton, Capps, of Baxter, Capps of White,
Cunningham, Crowley, Custer, Cagle, Chism,
Dunaway, Dodson, Eaton, Eagle, Fishback, Garland
Horne, Hughes, Hanna, Howell, Johnson, Joyner,
Kelley, Kingsworthy Lucas, Lindsey, Miller, Patterson
Pride, Parrott, Pulliam, Rutherford, Stanley Scott,
Smith of Saline, Thompson, Williams of Little River
Williams, of Sharp, Walker, Wise.

In the Affirmative 4/
In the Negative 4/
Not Voting 9/

So the substitute was lost.

Mr Harrison, of Yell offered the following amendment.

Add to the section - Suits may be brought by or against the State or any County thereof in such manner as may be provided by law, it being the duty of the Legislature to pass such law.

Which was lost.

Mr Smith, of Saline offered the following amendment.

No person shall be imprisoned for debt in any civil action on mesne or final process, unless in cases of fraud.

Which was adopted.

Mr Grimson & Cross submitted the following amendment

"Move to amend section 18, by striking out the words "or retroactive" in the first line.

Which was adopted.

Mr Harrison of Yell then offered the following Amendment to Section 20.

"No special privileges shall ever be granted by the General Assembly that may not be altered revoked or repealed by the General Assembly but such repeal shall be in such manner as to do no

injustice to interests secured by such special privileges.

Which was not agreed to.

Mr Hughes, of Monroe, moved to strike out of Sec 22 the words "in any manner destroyed"

Which was lost.

Mr Mansfield, of Franklin, offered the following as a substitute for Sec 23.

The right of property is before and higher than any Constitutional sanction, and private property shall not be taken, appropriated or damaged for public use without just compensation therefor.

Which was not agreed to.

Mr Thomason, of Washington offered the following, substitute for section 24.

Strike out "further" in fourth line and add "tax shall be levied on the property belonging to the people of this State nor on the property belonging to the people of any County in this State, except to raise such funds as is necessary to defray the actual expenses of said state and County Governments, Provided, Nothing herein contained shall be so construed as to prohibit a tax from being levied for the purpose of paying any equitable and just indebtedness incurred by the State and Counties prior to July 1st A.D 1874.

Which was rejected.

Mr Johnson of Calhoun moved to strike out the words "and political" in third line sec 24.

Which was lost.

Mr Garland of Nevada moved to strike out Section 28.

Mr Smith, of Saline offered the following substitute

Sec 28. Strike out all after "Government" in second line and insert "the General Assembly shall pass suitable laws to encourage schools and means of instruction"

Upon which amendment the "Ayes and Noes" were ordered, The Secretary called the Roll and the following named members voted in the affirmative

Anderson, of Lee. Anderson, of Craighead

Bunch. Butler, of Pulaski Barnes. Capers, of Baxter. Copeland
Cunningham. Custer. Carroll. Cabler. Carter. Fishback
Gibson Harrison. Horton. Hopkins. Howell.
Jones. Lucas. Mansfield Murphy. O'Sullivan
Pantney. Parrott. Pulliam. Polk. Smoot. Scott.
Smith of Saline Thomason, of Crawford Thompson
White & Mr President.

Those in the Negative were.—

Butler, of Independence. Berry. Bailey. Brown. Brown.
Bates Bowen. Crowley. Eagle. Chism. Dunaway
Doswell. Dodson. Eakin. Eagle. Flanagin. Frierson.
Garland. Gulley. House. Hampton. Hughes Hanna.
Johnson. Joyner. Killgore. Kelley. Kinsworthy Leiper.
Lindsey. Lake. Mosley. Miller. Patterson. Price.
Rogers. Ross. Rutherford. Reinhardt Stanley.
Steele Thomason, of Washington. Williams, of Jefferson.
Williams, of Little River. Williams of Sharp. Williams of Union
Walker & Nutt.

For the Affirmative 48
For the Negative 34
Not voting, 9
91

So the Substitute was not agreed to.

The question then recurred upon the motion of Mr Garland to strike out upon which motion the Ayes and Noes were ordered

The Secretary called the Roll and the following named members voted in the Affirmative:

Anderson, of Craighead. Bunch. Butler of Independence
Bailey. Bates. Bowen. Capers, of Baxter
Cunningham. Custer. Carroll. Cabler Carter
Eagle. Chism. Dunaway. Doswell. Dodson.
Eakin. Eagle Flanagin Frierson. Garland.
Gulley. House. Harrison, Hughes. Hopkins.
Hodnett. Johnson. Joyner. Killgore. Kelley.
Kinsworthy Leiper Lindsey Lake Mansfield.
Mills. Patterson. Price Parrott. Pulliam
Rogers. Ross. Rutherford. Reinhardt Smoot.
Stanley. Scott. Smith of Saline Sorrel.
Thompson, of Crawford. Thomason, of Washington
Williams, of Little River. Williams, of Sharp.
Walker & White.

Those voting in the Negative were—

Anderson, of Lee. Butler of Pulaski. Berry. Barnes
Copeland Fishback. Horton. Jones. Mosley.
O'Sullivan. Polk. Williams, of Jefferson. Williams of

= Junior) Burns Brown. Crowley Gibson. Hanna.
Lucas. Murphy Perkins. Thompson. White
& Mr President..

In the Affirmative 56.
In the Negative 24
Not voting 11
91

So the motion to strike out was carried.

Mr House of White sent to the Secretarys desk the following explanation of his vote

Mr President.

I vote to strike out this section not because I am opposed to education or to a general system of free schools by which the children of this State may be educated, but to the contrary I have always been in favor of a liberal distribution of knowledge it being essential in my mind to the perpetuation of a true republican government, But, I think the section is entirely inappropriate and out of place in the bill of rights.

Mr Lipsey of Dallas sent to the Secretarys desk the following explanation of his vote.

I vote "aye" because this question of Education is a question of Constitutional Law, and not of natural rights, and should not therefore appear in the declaration of rights; but in the Article on Education.

Mr Sowell of Scott sent to the Secretarys desk the following explanation of his vote-

Mr President--

I vote in the affirmative first because I do not believe it is proper to incorporate this clause in the bill of rights; Secondly because I think the question of Free Schools should be left discretionary with the people-

The Convention then took a recess until 4 o'clock this evening.

After the Recess.

The Convention met at 4 o'clock P. M.

The Roll was called and the following named members answered to their names.

Anderson, of Craighead.. Bunch. Butler, of Independence

Berry. Bailey. Bunin. Barnes. Blackwell. Brown.
Bates. Borden. Cypert, of Baxter. Cypert, of White.
Cunningham. Crowley. Custer. Carroll. Cable
Carter. Chism. Dunaway Dowell. Dodson
Eakin. Eagle. Flanagin. Pierson Fishback
Gibson. Garland. Gulley House. Harrison.
Horton. Hawkins. Hanna. Howell. Johnson -
Jones. Kellogg Kelley. Kingsworthy. Cooper
Lucas. Lindsey. Lake. Murphy. Miller
Patterson. Pugsley. Price Perkins. Parrott.
Rogers. Reed. Rutherford. Reinhardt. Smoot
Stanley. Scott. Sorrels. Thomason, of Crawford
Thompson, of Washington. Thompson, Williams of Little River
Williams, of Sharp. Williams, of Union. Walker
Pitt & Mr President.

Those members failing to answer to their names were -

Mr Wilson, of Lee. Blackwell. Copeland. Eagle.
Dorris. Hughes. Jones. Mosley. Mansfield
O'Sullivan. Pelham. Polk. Smith, of Lafayette.
Smith, of Saline. Williams, of Jefferson & White

Mess Gordon. Hampton. Lester Rivers and
Rector were excused on account of illness.

After Roll call Mr Mosley answered to his name

Mr Brown of Clayton submitted an additional minority Report upon the Article on Exemptions as follows.

Exemptions.

Section 1. Every homestead not exceeding in value the sum of one thousand and five Hundred dollars and the dwelling house and appurtenances thereon, to be selected by the owner thereof, and occupied by any resident of this state shall be exempt and not subject or sold on attachment Execution or other final process from any Court, nor shall the same be subject to the debts of any judgement or decree of any Court, so as to prevent the owner from selling and conveying title to the same, but such homestead shall not be exempted from sale for Taxes due thereon for the payment of obligations for purchase of said premises or the erection of improvements thereon at the instance of the owner thereof or any trust fund. Provided that if divisible the excess of said Homestead or so much as may exceed fifteen hundred dollars, and provided if said Homestead of and fifteen Hundred dollars in value and

cannot be divided without serious injury thereto the whole may be sold and the sum of fifteen hundred dollars paid to the owner thereof, and the residue subject to the payment of debts provided that the owner may mortgage or otherwise encumber said Homestead if so desired

Section 2. If the owner of a Homestead as provided in the first section die leaving a widow, but no children and said widow has no separate homestead in her own right, the same shall be exempt and the rents and profits thereof shall vest in her during her natural life provided that if the owner leaves children one or more, said child or children shall share with said widow and be entitled to. half the rents and profits until each of them arrive at twenty one years of age, each childs rights to cease at majority and the shares to go to the younger children, and then go to the widow and provided that said widow or children may reside on the Homestead or not.

Section 3. The Homestead as provided in the first Section after the death of the owner, shall be exempt from judgments & all debts during the minority of his or her children & they to share the rents & profits in like manner & may reside thereon or not.

Section 4. The personal property of any resident of this State to the value of $ 500.00 to be selected by such resident shall be exempt from seizure or sale on attachment execution or other process from any court issued for the collection of any debt.

Section 5. The real and personal property of any female acquired either before or after marriage, either by gift grant devise inheritance or otherwise, shall so long as she may choose to and remain the separate estate and property of such female, and may be devised, bequeathed, or otherwise disposed of by her, the same as if she were a person sole and such property shall not be liable for any debts engagements or obligations of the husband, whether contracted or not

On motion of Mr Harrison, all the preceding sections were ordered to lay over, and 200 copies each ordered printed.

Mr Hill of Van Buren moved to strike out Section 2nd.

Pending the question, Messrs Mansfield, Williams, Cockerell, Anderson, Lee, Polk, Hughes & Engle were excused to leave the room.

Mr Kinney of Denton, moved to further amend section 29 by striking out all that part before the word citizens.

Which was not agreed to.

The question then recurred upon the motion to strike out.

Which was carried.

Mr Flanagan moved to strike out section 31, all after the word "prohibited".

Mr Dowell moved to further amends by striking out the whole section

Which was carried

Mr Mansfield, of Franklin, moved to reconsider the vote just had.

Which was agreed to.

The motion to strike out the entire section being again put was lost.

The question then recurred to the Amendment offered by Mr Flanagan.

The question being put was carried.

Mr Emerson, of Cross offered the following

I move to amend by striking out all after the word "enjoyed" in the second and third lines.

Mr Emerson of Crawford offered the following as a substitute

This enumeration of rights shall not be construed to deny or disparage others retained by the people, and to guard against any encroachments on the rights herein retained, or any transgression of any of the higher powers herein delegated, but declare that everything in this article is expected out of the general powers of the government, and shall forever remain inviolate, and that all laws contrary thereto, or to the other provisions herein contained, shall be void.

Which was adopted.

Mr Butler, of Independence moved to reconsider the vote taken on Section 23.

Which was carried

The question then recurred upon the adoption of the substitute offered by Mr Mansfield of Franklin.

Which was carried -
And the Substitute adopted for the Section

Mr. Branch of Carroll moved that the Article on "Boundaries and Declaration of Rights" be engrossed, read & made the special order for 10 o'clock A.M. Thursday morning.

Which was carried.

The article as amended reads as follows.

Boundaries and Declaration of Rights.

Preamble.

We, the people of Arkansas, grateful to Almighty God for the privilege of choosing our own form of government, for our civil and religious liberty, and desiring to perpetuate its blessings and secure this same to ourselves and our posterity, do ordain and establish this Constitution.

Boundaries.

We do declare and establish, ratify and confirm the following as the permanent boundaries of the State of Arkansas, that is to say: Beginning at the middle of the main channel of the Mississippi river, on the parallel of thirty-six degrees of north latitude; running thence west with said parallel of latitude to the middle of the main channel of the St. Francis river; thence up the main channel of said last named river to thirty-six degrees thirty minutes of north latitude; thence west with the southern boundary line of the State of Missouri to the south-west corner of said last named State; thence to be bounded on the west to the north bank of Red River, as by acts of Congress and treaties existing prior to 1st 1837, defining the western limits of the territory of Arkansas, and to be bounded upon and South of Red River by the boundary line of the State of Texas, as far as to the Northwest corner of the State of Louisiana; thence easterly with the Northern boundary line of said last named State to the middle of the main channel of the Mississippi River; thence up the middle of the main channel of the last named river, including any islands in said river known as Belle Point Island and all other lands originally surveyed and not included as a part of the Territory or State of Arkansas, to thirty-six degrees of north latitude the place of beginning.

Seat of Government.

The seat of Government of the State of Arkansas, shall be and remain at Little Rock, where it is now established. -

Distribution of Powers.

The powers of the Government of the State of Arkansas are and shall forever be divided into three departments — the Legislative, the Executive and the Judicial — and no person belonging to one of these departments shall exercise the powers properly belonging to another, except in the cases expressly and specifically provided in this Constitution.

Declaration of Rights.

Sec. 1. All political power is inherent in the people. Governments is instituted for the protection, security and benefit of the people and they have the right, to alter, reform, or abolish the same in such manner as they may think proper.

Section. 2. All men are created equally free and independent and have certain inalienable and inherent rights among which are those of enjoying and defending life and liberty of acquiring possessing and protecting property and reputation and of pursuing their own happiness. To secure these rights governments are instituted among men deriving their just powers from the consent of the governed.

Sec 3. The equality of all persons before the law, is recognized and shall ever remain inviolate. Nor shall any citizen ever be deprived of any right, privilege or immunity, nor exempted from any burden or duty on account of race, color or previous condition.

Section, 4. The right of the people, peaceably to assemble to consult for the common good, and to petition, by address or remonstrance; the Government, or any department thereof, shall never be abridged.

Section 5. The citizens of this State shall have the right to keep and bear arms for their common defence

Section, 6. The liberty of the press shall forever remain inviolate, the free communication of thoughts and opinions is one of the invaluable rights of man, and all persons may freely write and publish their sentiments on all subjects, being responsible for the abuse of such right. In all criminal prosecutions for libel, the truth may be given in evidence to the jury, and if it shall appear to the jury that the alleged libelous is true, and was published with good motives, and for justifiable ends, the party charged shall be acquitted

Section 7. The right of trial by jury shall remain inviolate and shall extend to all cases at law without regard to the amount in controversy; but a jury trial may be waived by the parties in all cases, in the manner prescribed by law.

Section 8. No person shall be held to answer a criminal charge (of treason, murder or the presentment or indictment of a grand jury, except in cases of impeachment or in such cases as the general assembly shall make cognizable by justices of the peace and courts of similar jurisdiction; or cases arising in the army or navy of the United States, or in the militia when in actual service in time of war, or public danger; and no person, for the same offense shall be twice put in jeopardy of life or liberty; but if, in any criminal prosecution, the jury be divided in opinion, the court before which the trial shall be had, may, in its discretion, discharge the jury and commit or bail the accused for trial at the same or the next term of said court; nor shall any person be compelled, in any criminal case to be a witness against himself; nor be deprived of life, liberty, or property without due process of law. All persons shall, before conviction, be bailable by sufficient sureties, except for capital offenses, when the proof is evident, or the presumption great.

Section 9. Excessive bail shall not be required, nor shall excessive fines be imposed, nor shall cruel or unusual punishments be inflicted nor witnesses be unreasonably detained.

Section 10. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury, in the county in which the crime shall have been committed; provided, that the venue may be changed to any other county of the judicial district in which the indictment is found, upon the application of the accused in such manner as may be prescribed by law; and to be informed of the nature and cause of the accusation against him, and to have a copy thereof; and to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to be heard by himself and his counsel.

Section 11. The privilege of the writ of Habeas Corpus shall not be suspended except by the general assembly in case of rebellion insurrection or invasion when the public safety may require it

Section 12. No power of suspending or setting

aside the law or laws of the state shall ever be exercised except by the general assembly.

Section 13. Every person is entitled to a certain remedy in the laws for all injuries or wrongs he may receive in his person property or character, he ought to obtain justice freely and without purchase, completely and without denial, promptly and without delay, conformably to the laws.

Section 14. Treason against the State shall only consist in levying and making war against the same, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two (2) witnesses to the same overt act, or on confession in open court.

Sec 15. The right of the people of this State, to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, shall not be violated, no warrants shall issue except upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized.

Section 16. No person shall be imprisoned for debt in any civil action on mesne or final process, unless in cases of fraud.

Section 17. No bill of attainder, ex post facto law, or law impairing the obligation of contracts, shall ever be passed, and no conviction shall work corruption of blood or forfeiture of estate.

Section 18. The general Assembly shall not grant to any citizen or class of citizens, privileges or immunities which, upon the same terms, shall not equally belong to all citizens.

Section, 19. Perpetuities and monopolies are contrary to the genius of a Republic and shall not be allowed, nor shall any hereditary emoluments, privileges or honors ever be granted or conferred in this State.

Section, 20. No distinction shall ever be made by law between resident aliens and citizens in regard to the possession, enjoyment or descent of property.

Section 21. No person shall be taken, or imprisoned or disseized of his Estate, free-hold liberties or privileges, or outlawed, or in any manner destroyed or deprived of his life liberty or property, except by the judgment of his peers, or the law of the land.

= Nor shall any person under any circumstances be
= exiled from this State.

Section. 22. The right of property is before and
higher than any Constitutional Sanction, and
Private property shall not be taken, appropriated
or damaged for Public use, without just compen-
= sation therefor.

Section. 23. The Stated ancient right of eminent
domain and of taxation is herein fully and expressly
conceded; and the General Assembly may delegate
the taxing power, with the necessary restriction
to the State Subordinate, Political and Munici-
= pal Corporations, to the extent of providing for their
existence, maintenance and well-being, but
= no further.

Section. 24. All men have a natural and indefeasible
right to worship Almighty God according to the
dictates of their own consciences; No man can right-
fully be compelled to attend, erect or support any place
of worship, or to maintain any Ministry against
his consent; No human authority can, in any
case or manner whatsoever, control or interfere
with the right of conscience; and no preference
shall ever be given by law to any religious,
establishment, denomination or mode of
worship above any other.

Section 25. Religion, Morality and Knowledge,
being essential to good government, the General
Assembly shall enact suitable laws to protect
every Religious denomination in the peaceful
employment of its own mode of public worship.

Section, 26. No religious test shall ever be required of
any person as a qualification to vote or hold Office;
and shall any person be rendered incompetent to
be a witness on account of his religious belief; but
nothing herein shall be construed to dispense
with oaths or affirmations.

Section 27. There shall be no slavery in this State,
nor involuntary servitude except as a punish-
= ment for crime. No standing army shall be
kept in time of peace; the Military shall,
at all times, be in strict subordination to the civil power;
and no soldier shall be quartered in any house
or on any premises without the consent of the
owner, in time of peace, nor in time of war
except in a manner prescribed by law

Section. 28. All lands in this State are declared to be allodial, and feudal tenures of every description with all their incidents, are prohibited.

Section 29. This enumeration of rights shall not be construed to deny or disparage, others retained by the people, and to guard against any encroachments on the rights herein retained or any transgression of any of the higher powers herein delegated we declare that every thing in this article is expected out of the general powers of the Government and shall forever remain inviolate, and that all laws contrary thereto or to the other provisions herein contained shall be void.

The Ordinance on Financial Relations was then taken up

On motion of Mr Thomason of Crawford, the Ordinance was ordered to lay upon the table, and one hundred copies be printed.

On motion of Mr Eakin of Hempstead the article on Municipal and Private Corporations was read the second time

The Convention then adjourned until to-morrow at 8 o'clock A.M.

Thomas M. Houston
Secretary.

Granderson of Hoyt Town
President Con Convention
Ark.

Tuesday Morning,
8 o'clock
Aug 11th 1874.

The Convention met pursuant to adjournment

The Roll was called and the following named members answered to their names

Anderson of Lee. Anderson of Craighead. Branch
Butler of Independence. Berlin of Pulaski Bailey
Blackwell. Bates. Bowen. Bypurt of Baxter.
Copeland Cunningham Crowley Cureton
Carroll. Calhoun Carter Eagle Downs.
Dunaway. Dodson. Eakin. Eagle Flanagin.
Fishback. Garland Galley. Horne. Harrison
Hughes Hawkins. Hanna. Howell.
Johnson. Bryan. Kellogg. Kingsworthy
Leiper. Lucas. Lindsey Lake of
Mansfield Mayfield Miller. Patterson
Pace Price. Penn Polk. Rose.

Rutherford. Reinhardt. Smoot. Stanley. Scott.
Smith of Salem. Sorrels. Thomason of Crawford.
Thomason of Washington. Williams of Little River.
Williams of Sharp. Williams of Union. White
Walker. White of Mc Pendent.

Those members failing to answer to their names are as follows.

Berry. Byron. Barnes. Brown. Bynum of White.
Chism. Dowell. Frierson. Gibson. Horton. Jones.
Kelley. Leslie. Mosley. Niven. O'Sullivan.
Perkins. Pulliam. Rogers. Smith of Lafayette.
Thompson. & Williams of Jefferson.

A quorum of the Convention present.

Prayer by the Chaplain.

The proceedings of yesterday were then read and approved

Mess Chism. Gibson. Berry. Bales. Kelley Horton
Thompson. Dowell. Frierson. Brown. Barnes Perkins.
Byron. & Williams of Jefferson appeared in their seats and answered to their names.

The convention then took up the unfinished business. being the consideration of the article on municipal and private corporations

Mr Frierson of Ross offered the following amendment to section 4.

I move to amend section 4, by striking out the word "two" in the third line and inserting in lieu thereof "one".

Mr Scott of Pope offered further to amend as follows

Mr President. I move to amend the amendment inserting instead of one per cent, "one half of one per centum" in the third line of the fourth section.

Mr Barnes of Pulaski offered a substitute, but withdrew the same before the question was put

The question being put upon the amendment offered by Mr Scott.

A rising vote was taken and the amendment lost.

Mr Thompson of Woodruff then offered the following amendment to section 4

I move to strike out and in the third line after

the word "than" and insert the following "five mills on the dollar of the assessed value of the same, provided that to pay indebtedness existing at the time of the adoption of this constitution, an additional tax of not more than five mills on the Dollar may be levied

Mr Pulliam appeared in his seat and answered to his name

The question then recurred upon the adoption of the amendment offered by Mr Thompson of Woodruff

The "ayes and noes" were called for, and sustained

The secretary called the roll and the following named members voted in the affirmative

Anderson of Craighead. Bunch. Butler of Independence
Bailey Bunn. Bates Cypert of Boyle Cypert of
White Cunningham Crowley Cushe Carroll
Cabler Carter Chisum Duncaway Doswell
Dodson, Eagle Flanagin Fishback Gibson Gulley
Horne Hughes Hawkins Howell Johnson
Joyner Kelley Kincannon Leiper Lucas
Lindsay Lake. Mansfield Miller Patterson Pierce
Sanford Pulliam Rogers Ross. Reader Rutherford
Reinhardt Smoot Stanley Scott. Smith of
Yelkin Sorrels Thomason of Crawford Thomason
of Washington Thompson Williams of Jefferson
Williams of Little River Williams of Sharp Wallace
of Union Wacker and the President.

Those voting in the negative were.
Anderson of Lee Butler of Pulaski Berry Barnes
Blackwood Brown Biven Copeland Eagle
Downs Eakin Friesen Garland Harrison
Horner Hanna Kilgore Patterson Murphy of
Perkins Pace & White

In the affirmative	59.
In the negative	22
Not voting	10
	91

So the amendment was adopted.

The President has announced the special order of the day, being the 3d reading and passage of the article on Boundaries and declaration of Rights

On Motion of Mr Eagle of Lonoke the special order of the day was postponed until 11 o'clock this day

Mr Brown of Ouachita made a point of order

That all matters touching taxation must be considered in the committee of the whole.

Mr Rieder of Garland moved that the rules be suspended and the convention proceed with the consideration of the subject under discussion

The motion was carried.

Mr Barnes of Pulaski offered the following substitute.
Section 4. No municipal corporation shall be authorized to pass any laws contrary to the general laws of the state; nor levy any tax on real or personal property to a greater extent, in one year, than one per centum of the assessed value of the same. provided, that in levying taxes for the payment of debts previously contracted, no tax shall exceed two per centum of the assessed value of the real or personal property of such corporations, and that said corporations in levying or assessing tax upon property shall be governed by the assessed value made by the state,

Upon which the "ayes and noes" were ordered.

The secretary called the roll and the following named members voted in the affirmative, —
Anderson of Lee. Bunch. Butler of Pulaski
Berry Barnes. Blackwell. Brown. Downs.
Garland. Horner Murphy Sandiver Perkins
Peek and White.

Those voting in the negative were
Butler of Independence Bailey. Binns Bates
Bryant of Baxter, Bryant of White. Cunningham
Conley Crisp Carroll Cables Clark Cagle
Chism Donaway Driesell Dodson Eakin
Eagle Flanagin Frierson Fishback Gibson
Gulley, Hood, Harrison Hughes Hawkins
Hamm. Howell Johnson, Joyner. Jones.
Killgore Kelley Kinsworthy Leiper Lucas.
Lindsey Lake Mansfield Miller Pattison
Pruitt Pierce Parrott Pindall Rogers
Ross Rector Rutherford Reinhardt Searle
Stanley. Scott. Smith of Pulaski Sorrels
Thomason of Crawford Thomason of Washington
Thompson Williams of Jefferson. Williams
of Little River Williams of Shark Williams of
Union, Walker and Mr President

For the affirmation	15
For the negative	65
Not voting.	11
	91

So the substitute was lost.

Mr Bunn of Ouachita then offered the following amendment.

Provided that municipal corporations which have no debt or not enough to require the 5 mills tax, may be authorized to tax at the rate of Ten mills for ordinary expenses.

which was not agreed to.

Mr Lupin of Dallas then submitted the following amendment.

Section 4. Line three, strike out the word "two" and insert one quarter of one per centum in currency and one half of one per centum in any outstanding scrip or bonds of said municipal corporations until said scrip or bonds are redeemed when said one half of one per centum shall cease.

which was rejected

Mr Flanagin of Clark offered the following Substitute

After state in the second line Sec. 4, "any tax payer in any town or city may tender to the collector of taxes in greenbacks or gold and silver coin one half of one per cent of the assessed value of his property, and the same shall be received in full payment of all town or city taxes on real and personal property, except local assessments for opening or improving of streets which shall not extend to the whole town city or ward — Provided that the amount required to make such tender may be increased by a direct vote of the people.

Mr Eagle of Lonoke chairman of the committee on engrossed bills made the following report.

Mr President. Your committee on engrossment have examined the article on Boundaries and declaration of Rights and find the same correctly engrossed. Your committee are of opinion that the word "employing" should have been used instead of employing in section two (2)

J. P. Eagle.
Chm Com

The report of the committee was received and the correction made as suggested.

The article on Boundaries and declaration of Rights was then read a third time and placed upon its final passage.

The question being put, shall the article on Boundaries and Declaration of Rights be passed

The roll was called, and the following named members voted in the affirmative;
Anderson of Lee, Branch, Burke of Independence Burke of Pulaski, Berry, Bailey Bunn, Barnes Blackwell Brown Boles Boyden, Bryant of Bunts Bryant of Wake, Copeland Cunningham Comley Cowles Carroll, Cobden Carter Cagle Christian Dorris Dunaway Dockery Dodson Eakin, Eagle, Flanagan Freeman, Fishback Gibson, Garland Gulley Harrison Howse Hunter Hughes Hawkins Haynes Howell Johnson, Joyner, Kilgore Kelley Kincaid Leiper, Lucas Lindsey Lake, Mansfield Murphy Miller Sheridan Patterson Pinkney Price, Perkins Parrott Pulliam Polk of Rogers, Ross Rector Rutherford Reinhardt Shook, Stanley, Scott Smith of Dallas Sowell Thomason of Crawford Thompson of Washington, Thompson, Williams of Jefferson, Williams of Little River, Williams of Clark, Williams of Monroe, White Walker Watt and Mr President

In the affirmative	83,
In the negative	none
Not voting	8
	91

So the article on Boundaries and declaration of Rights was passed

On motion of Mr Branch of Carroll the article was then referred to the committee on revision and arrangement of the Constitution

The article on Municipal and private Corporations was then taken up.

Mr Harrison of Yell offered the following amendment to section 6.

Amend section 6, by adding to it as follows. "And all special privileges or charters of incorporations granted under such laws may be altered revoked or repealed by the legislative power of the state, whenever in the opinion of the legislature power such privileges may be injurious to the citizens of the state. Such repeal to be in such manner that no injustice shall be done to the corporators

Mr Ross of Clark offered the following as an amendment to the amendment offered by Mr Harrison of Gell.

Substitute, amend by adding. The general assembly shall have the power to alter revoke or annul any charter of incorporation now existing and revocable at the adoption of this constitution or any that may hereafter be created. whenever in their opinion it may be injurious to the citizens of this State in such manner however, that no injustice shall be done to the corporators.

Mr Chism of Saline offered the following as a substitute.

Section 6. Corporations may be formed, under general laws which laws may from time to time be altered or repealed; Provided, upon the repealing any such law no manifest injury results to the Corporation.

Which was rejected.

The question then recurred upon the adoption of the amendments of Mr Ross of Clark to the amendment of Mr Harrison of Gell.

The question being put the Amendments was carried.

Mr Flanagin moved to strike out Sec. 9.

Mr Thomason of Crawford offered the following as a substitute.

Sec. 9. Debts, from private corporations, shall be secured by such individual liability of the stockholders, and other means, as may be prescribed by law; but in all cases, each stockholder shall be liable only for the stock by him or her owned and any amount unpaid thereon,

The question then recurred upon the substitute.

The question being put the Substitute was lost.

The question then recurred upon the adoption of the motion to "strike out."

The "ayes and noes" were ordered.

The Secretary called the Roll and the following named members voted in the affirmative.

Brown. Bunch of Sebastian. Berry. Brum. Barnes Bykes of White
Cunningham. Cloud. Carroll. Carlin. Carter. Cagle. Chism
Dynaway Flanagin. Fishback. Gibson. Garland. Gulley
Hogue. Harrison. Hughes. Hawkins. Howell. Joyner
Jones. Kilgore Kelley. Kinsworthy. Lisles. Lucas.
Lindsey. Lake. Mansfield. Merkley. Miller. Patterson
Pearce Perkins. Pilliam. Polk. Ross.
Rutherford. Scimbrede. Smoot Stanley. Scott.

Gooch. Thomason, & Crawford, Thomason & Washington. Thompson. Williams & Jefferson. Williams & Little River Williams & Shark. Williams & Union. Walker. Tutt & Mc President.

Those voting in the negative were

Anderson, & Lee. Butler, & Independence. Bailey Blackwell. Brown. Bates. Bouch. Cypert & Baxter. Downs. Dowell Dodson. Eakin. Eagle. Frierson. Hanna. Parrott. Rogers

In the affirmative	60
In the Negative	18
Not voting	13
	91

So the motion to strike out Sect 9 was carried.

Mr Butler, of Independence offered the following amendment to section 10

Sec 10 3d line strike out all after words "& that" to end and insert

Shall be ascertained in the manner prescribed by law.

Mr Flanagin of Clark moved further amend to strike out the Section, but withdrew the same before the question was put

Mr Thompson, of Woodruff offered the following amendment to the Amendment.

I move to amend by striking out all in the fourth line after the word corporation and inserting "which shall be ascertained as shall be prescribed by law"

Which was Lost.

Mr Carter, of Pike, moved to adjourn until 4 o'clock P.M.

Which was not agreed to

Mr Thomason, of Crawford, moved to strike out Sect 11

Mr Hughis, of Monroe, offered further to amend as follows

Insert after General Assembly: the words "shall be passed", and strike out all after money in second line.

Which was accepted by Mr Thomason.

The question was then put and the Amendment was agreed to.

Mr Frierson of Cross, offered an additional section as follows,

I move to amend by adding the following section,

Section 14. The property of corporations now existing or hereafter created shall forever be subject to taxation, the same as the property of individuals.

Which on motion of Mr Cayce of White was referred to the Committee on Finance.

Mr Hughes offered the following as amendment to sec 13.

Nor shall the indebtedness of any corporation to the State ever be released, or in any manner discharged, save by payments into the Public Treasury -

Which was adopted.

Mr Eagle of Lowndes called for the reading of the article as amended. Which was accordingly done.

Mr Mansfield of Franklin moved to strike out the 9th section

Mr Harrison of Crawford offered to further amend by adding the words "except as provided in Sec Two of this Article"

Pending the discussion of the amendment the Convention adjourned until to-morrow morning at 8 o'clock -

Thomas M. Newton
Secretary.

Granderson D Royston
Merchant Con Convention
Conv

Wednesday
Aug 12th 1874
8 o'clock a.m.

The Convention met pursuant to adjournment.

The Roll was called and the following named members answered to their names.

Anderson, J.	Craighead.	Branch.	Buttler J.	Independence
Berry.	Bailly.	Blackwell.	Bowen.	Cunningham
Crowley	Caulk.	Carroll.	Carter.	Cagle
Donaway	Dodson	Eakin.	Eagle.	Flanagin.
Fishback.	Gulley.	Goodwin.	Hampton.	Harrison
Hughes.	Hawkins.	Hanna.	Howell.	Johnson.

Killgore. Kelley. Kinsworthy. Leiper. Lindsey. Lake.
Murphy. Miller. Patterson. Pinkney. Pierce. Perkins.
Parrott. Pulliam. Rogers. Rutherford. Reinhardt.
Smoot. Stanley. Sorrels. Thomason. & Washington.
Williams & Jefferson. Williams & Little Leiber. Williams, of
Union. Walker. Mr. & Mr. President.

Those Members failing to answer to their names were -

Anderson, & Lee. Butler, & Pulaski. Bunn. Barnes
Brown. Bates. Cypert, & Barker. Cypert, & White.
Chism Copeland Dowell. Frierson. Gibson Garland
House Horton Jones. Lucas. Lester Mosby,
Mansfield. Irving. O'Sullivan Polk Rector
Scott. Smith, of Lafayette. Smith, of Saline. Thomason of
Crawford Thompson. Williams, & Sharp & White.

A quorum of the Convention present.

Prayer by the Chaplain.

Messrs Lucas, Cypert, & Barker, Frierson. Horne. Cypert of
White) Bunn Gibson. Downs Calber Bates
and Garland - Appeared in their seats and answered
to their names.

The Journal of yesterday was then read and approved

Messrs Polk, Williams, & Sharp Copeland. White Butler
& Pulaski) Horton Mansfield Anderson, & Lee
Dowell, Thompson. Scott & Barnes appeared in
their seats and answered to their names

The President then submitted to the Convention the
following Communication. which was read,

Philadelphia Pa
No 154 South Fourth Street
Aug 6th, 1874.

To the President of Arkansas Constitutional Convention

Sir.

I see it reported in the newspapers
that it is in contemplation by some of the members of
your Convention to repudiate the Bonds issued by
the State of Arkansas in aid of the several Rail Roads
running through different portions of the State.
In the Spring of 1871 I purchased at public sale in
this City a one thousand dollar Bond issued by the
State of Arkansas to the Ft. Smith and Little Rock
Rail Road and paid for the same five hundred
and ten dollars cash. For two years I received the
interest, since then it has not been paid. I purchased

said Bond as a good and safe investment for upon the face of the Bond it says "The State of Arkansas is solemnly pledged for the redemption of the amount of the face of this Bond when it becomes due" and I am told that the contracting of this debt was authorized by a vote of the people of Arkansas at a lawful constitutional election.

The money that I paid for this Bond I can ill afford to loose and I have no doubt that there are many persons like myself who bought these Bonds satisfied that the plighted faith of the State of Arkansas would not be broken. If they are now repudiated a very great wrong will be done to many innocent holders of these obligations, who believed that they were investing their money in undoubted securities. No matter what pretext may be urged such action on the part of your Convention will inflict a stain upon the good name of your State that never can be erased and I hope that the good old incontrovertible maxim that "Honesty is the best policy" will prevail in your Convention and that it will prevent the commission of a wrong which will be of incalculable injury to the good name of the State of Arkansas.

Very Respectfully
Your obedient Servant
A. H. Morgan

Hon Granderson D. Royston.
President Arkansas Constitutional
Convention.

I respectfully request that this Communication be read to the Arkansas Constitutional Convention

A H Morgan.
Notary Public
Philadelphia, Pa.

Which on motion of Mr Leiper of Dallas was referred to the "Committee on Finance &c"

On motion of Mr Pitt of Van Buren the Article on Municipal and Civil Corporations was taken up.

The question occurred on the amendment of Mr Thomason of Crawford as follows.

"Except as provided in Section Two of this Article the State shall never become a stockholder in or subscribe to or be interested in the stock of any Corporations or Association".

Upon which amendment the previous question was moved

The question being then put and the amendment was carried.

The question then recurred upon the motion "to strike out"

Which on being put was lost.

Mr Leiper of Dallas offered the following amendment.

Strike out the words in first line "Except as herein provided and all after the word Corporation in third line.

Which was not agreed to.

Mr Witt of Van Buren moved that the Article on "Municipal and Private" Corporations be engrossed for a third reading and made a special order for to-morrow at 10 o'clock

Which was carried

Mr Thompson of Woodruff moved that the rules be suspended and the article on Executive department be taken up

Which was not agreed to.

The regular order of business was taken up.

Mr Thompson introduced the following resolution.-

Whereas, On the 30th day of July a resolution was adopted asking his Excellency the Governor to furnish this Convention with certain information in regard to the Militia forces of this State now in service and lately on active duty, and

Whereas, His Excellency in response thereto on the 31st day of July was pleased to refer this Convention to the Adjutant General of the State and the Major General commanding the Militia for such information, therefore

Resolved, That Maj. General T. J. Churchill and Adjutant General Jr McCamaney be and they are hereby requested to answer all the enquiries proposed to his Excellency in said resolution in regard to said Militia: and the Secretary of this Convention is hereby directed to furnish Maj. General Churchill and Adjutant General McCamaney, each with a copy of said resolution, a copy of the response of his Excellency and a copy of this resolution

Upon which the "ayes and noes" were ordered

The Secretary called the Roll and the following named members voted in the Affirmative

Anderson of Ark. Branch. Butler of Pulaski. Berry. Baily. Bunn Barnes. Brown. Bates Bowen

Cypert, of Boone. Cypert, of White. Copeland. Cunningham
Christie. Carroll. Calhoun. Carter Craig. Downs.
Dowell. Dodson. Eakin. Engle Flanagin. Fishback.
Gibson. Garland. Fuller Godwin. Hoose Harrison.
Horner. Hughes. Hawkins. Hanna. Howell Jones
Kilgore. Kelley. Kinsworthy. Leiper. Lucas. Lindsey.
Lake. Mansfield Mourphy. Miller. Patterson. Pindney
Pierce. Perkins. Parham Pk Rogers
Ross. Rector. Rutherford. Reinhardt. Sinclair
Shanks Scott. Sorrels. Thomason, of Crawford
Thompson, of Washington. Thompson. Williams of Jefferson
Williams of Little. Wood. Williams of Stark.
Mr Speaker Yeas & Mr President.

All those voting in the Negative were

Anderson of Craighead. Butler of Independence.
Blackwell. Crowley. Dunaway. Johnson.
Lozier. Williams of Izard.

In the Affirmative 71
In the Negative 8
Not voting 41

So the resolution was adopted.

On motion of Mr Garland, of Nevada, the report of the Committee on "Counties, County seats and County lines was taken up.

Mr Scott, of Pope. Offered the following amendment viz

Amend in the second line after the word "Miles" by adding these words; Provided, that this section shall not apply to Counties now existing so as to prevent a change of County lines by a vote of a majority of the people embraced in a Territory heretofore taken from one County and attached to another against the wishes of the majority of the People of said Territory so disconnected, although such Change might reduce the County below the area of said six Hundred square miles

Mr Howell, of Johnson moved further to amend as follows

That amendment shall be "unless concurred in by the People so affected or by a majority of the County losing the same.

Mr Hawkins, of Ashley called for the previous question

Which was sustained.

The "ayes and noes" were called and the following named members voted in the affirmative:

Butler, of Pulaski. Copeland. Crowley. Gibson.
Hobbell. Joyner. Parrott.

The following named members voted in the negative

Anderson, & Lee. Anderson, & Craighead. Bunch.
Butler, of Independence. Berry. Bailey. Binns.
Barnes. Blackwell. Bloom. Bowen. Bryant of
Baxter.) Bynum, & White. Cunningham. Custer
Carroll. Cabler. Carter. Cagle. Downs Dunaway
Doswell. Dodson. Eakin. Eagle. Flanagin
Ferguson. Fishback. Garland. Gulley. Goodwin
Hawes. Harrison. Hughes. Hawkins. Hanna.
Jones. Kellogr. Kelley. Kenworthy. Leiper.
Lucas. Lindsey. Lake. Mansfield. Murphy.
Miller. Patterson. Pumbley. Pierce. Perkins.
Pulliam. Polk. Rogers. Ross Rector.
Rutherford. Reinhardt. Smoot. Stanley. Scott.
Sorrels. Thomason, & Crawford. Thomason & Washington
Thompson. Williams, & Jefferson. Williams of Little Rvr
Williams & Sharp. Williams & Union. White Walker
Witt. & Mr President =

For the affirmative 7
For the negative 75
Not voting 9
91

So the amendment was lost.

The question then recurred upon the original amendment offered by Mr Scott of Pope.

The "ayes and noes" were ordered:

The Secretary called the Roll and the following named members voted in the Affirmative.

Binns. Blackwell. Bates. Copeland Crowley. Fishback
Gibson. Gulley. Harrison. Hanna. Joyner. Parrott
Pulliam. Polk. Scott. Williams, of Jefferson & White.

The following named members voted in the negative.

Anderson & Lee
Anderson & Craighead Bunch. Butler & Independence
Butler, of Pulaski. Berry. Bailey. Barnes. Brown
Bowen. Bynum & Baxter. Bynum & White Cunningham
Custer. Carroll. Cabler. Carter. Cagle. Downs.
Dunaway. Doswell. Dodson. Eakin Eagle Flanagin
Ferguson. Garland. Goodwin. Howe. Hawes.
Hawkins. Howell Johnson. Jones. Killgore, Kelly
Kinsworthy. Leiper. Lucas. Lindsey. Lake.

Mr Canfield. Mr Murphy. Mr Miller. Mr Patterson. Mr Pomeroy. Mr Price.
Mr Pickens. Mr Creed. Mr Cox. Mr Rector. Mr Rutherford Mr Reinhardt
Mr Smoot. Mr Hanley. Mr Sears. Mr Thomason of Crawford.
Mr Thomason of Jackson. Mr Thompson. Mr Williams of Lake. Mr Weir
Mr Williams of Shasta Mr Williams of Union. Mr Yelkee. Mr Pettit
and Mr President.

In the negative 65
In the affirmative 17
Not voting 9

So the amendment was lost

Mr Copeland of Crittenden, made the following explanation of his vote.

Mr President

I vote "No" because I know that the citizens of Crittenden & St Francis were opposed to the formation of the County of Lee and that it was taken off the wealthiest part of St Francis and a wealthy part of Crittenden against their protest.

Mr Leiper of Dallas sent to the Secretarys desk the following explanation of his vote —

I vote "No". because whilst the principle enunciated is correct, that the people affected should be consulted, yet if this Amendment is adopted, the flood gates of strife and turmoil will be opened up throughout the State and the peace and quiet of the people disturbed, and all the work of apportionment already accomplished by this Convention will be set aside. Therefore; though injustice in many cases has been done by illegal and partisan legislation, yet I think it inexpedient for this Convention to disturb the present status of County boundaries.

Mr Rector of Garland sent to the Secretarys desk the following explanation of his vote —

I vote "no" solely because the Amendment would lead to disorder, existing counties and disarrange the articles of Apportionment.

Mr Johnson of Calhoun moved to amend as follows

"Amend by amending this section so that it will read;
As the word Miller in line (2) insert "Except the County of Lafayette."

Mr Brown of Clayton moved further to amend by adding

"Amend by amending the County of Clayton

Which was not agreed to -

The question then recurred upon the original amendment

The question being put the amendment was adopted.

Mr Jones of Desha moved to except the County of Desha

Which was lost.

Mr Scott of Pope moved further to amend,

After the word Lafayette Johnson and Pope so be so Construed as to prevent future legislation concerning the line between said Counties of Pope and Johnson.

Which was adopted -

Mr Dowell, of Jackson. moved to amend as follows -

That section first be amended by adding after the word miles in the second line the words "But to less than ten thousand inhabitants," and after the word miles in the third line the words " and ten thousand inhabitants."

Mr Johnson, of Calhoun, moved to further amend by excepting the County of Lafayette, which was accepted by Mr Dowell.

Mr Cypert, of White moved to amend by saying 7000 Inhabitants, which was accepted by Mr Dowell.

Mr Flanagin, of Clark moved to amend the amendment by saying 5000 inhabitants.

The question recurred upon the amendment to the Amendment.

Which was adopted.

The question then recurred upon agreeing to the amendment

The question being put the amendment was adopted

Mr Killgore, of Columbia, moved to strike out Section 4.

Mr Thomason, of Crawford moved further to amend by striking out the word 12 and insert 10 excepting Lafayette county.

Which was agreed to -

Mr Anderson, of Lee moved to strike out Sect 4

The question being put the motion was lost.

The question then recurred upon the amendment of Mr Thomason of Crawford.

Which was agreed to -

Mr Bunn moved the following amendment

I move to amend section 5 by striking out in first line "or which may hereafter have"

Mr Eakin of Humphead moved to further amend by striking out Sec 5 but withdrew the same before the question was put.

Mr Bunn, amended his amendment as follows

Sec 5. In Counties having two County Seats, each district, as marked out by the first County Court elected under this Constitution, shall have its separate County and Probate Court, and a separate term of the Circuit Court, each paying its own expenses as if two counties - provided that they shall not be two counties in any other respect and provided further that shall not be hereafter established two County seats in any one County.

Which was adopted.

Mr Engle moved to strike out the whole section but withdrew the same before the question was put

Mr Smith of Saline moved the motion to strike out.

Mr Thomason of Crawford moved to further amend as follows

Sebastian County may have two districts and two County seats at which County Probate and Circuit Courts shall be held as is now or may be provided by law.

Which on being put was adopted

The Convention then took a recess until 4 o'clock this evening.

After the recess.

The Convention met at 4 o'clock PM -

Mr Hanna of Conway offered the following additional section to the Article on Counties and County lines

The General Assembly shall at its first Session after the ratification of this Constitution by the people proceed by Legislative enactments to so change and define the boundary lines of such Counties in this State which now have less than their Constitutional area so that each County now organized shall contain an area at least six hundred square miles.

Which on being put was not agreed to—

Mr Walker of Washington moved that the Article on Counties County seats and County Lines be engrossed and made the Special order for 11 o'clock a m to-morrow.

Which was carried.

The Ordinance on the pay of Officers and current expenses of the State Government was taken up.

On motion of Mr Fishback of Sebastian the Ordinance was referred to the Committee of the whole and moved that the Ordinance be considered.

The Convention then at 4 o'clock and 15 minutes went into the Committee of the whole.

The Convention at 5 o'clock and 30 minutes rose and Mr Bunch the Chairman made the following report—

Mr President

The Committee of the whole to whom was referred the Ordinance appropriating means to defray expenses of State Government Instruct me to report that the Committee have had the same under consideration and report the Article back with sundry amendments and recommend its adoption

The report of the Committee was received.

The question then recurred upon the adoption of the Article as amended by the Committee of the whole

Which was agreed to.

On motion of Mr Scott of Pope the Ordinance was then ordered engrossed and made the Special Order for 9 o'clock a m to-morrow for third reading and final passage.

The Convention then at 5 o'clock and 30 minutes adjourned until to-morrow morning.

= at 8 o'clock.

Thomas M. Haynie
Secretary.

Granderson D Reynolds
Minister Cumberland Presbyterian
Church

Thursday 8 o'clock a m
Aug 13th 1874.

The Convention met pursuant to adjournment.

The Roll was called and the following named members answered to their names.

Anderson, J Lee. Anderson, J Craighead. Bunch. Berry.
Bailey. Bunn. Blackwell. Brown. Bowen.
Cypert, J Bayles. Cypert, J White. Copeland. Cunningham
Crowley. Custer. Carroll. Cobler. Carter Dempsey.
Dodson. Eakin. Flanagin. Freeman. Fishback. Gibson
Gulley. Goodwyn. Grice. Hampton. Harrison.
Hawkins Hanna. Howell. Johnson. Fellows
Kelley. Leiper. Lucas. Lindsey. Lake Worley
Murphy Mullin. Brown. Patterson. Pierce. Perkins
Parrott. Ault Rogers. Ross. Rutherford
Reynolds Smoot Stanley. Sorrels. Thomason J Crawford
Thomason J Washington Thompson. Williams J Little River
Williams J Sharp. Williams J Union White
Walker & Mr President.

Those members not answering to their names are as follows.

Butler J Independence. Barnes. Bates. Cagle. Bryan.
Downs. Dowell. Eagle. Garland. Horner. Hughes.
Jones. Green. Kinneworthy. Mansfield O'Sullivan
Pugsley. Pattillo. Rector. Scott. Smith J Lafayette
Smith J Sevier. Williams J Jefferson & White.

Gentis J Pulaski was excused

A quorum of the Convention present

Prayer by the Chaplain

The Journal of the preceding day was then read and approved.

Mess Williams J Jefferson, Kinneworthy, Rector, Scott, Bates, Garland, Barnes, Bryan, Cagle, Butler Hughes, Pattillo, Mansfield, White, Horner O'Sullivan - appeared in their seats and answered to their names.

Mr Cypert of Baxter. Submitted the following resolution

Resolved. That no Lottery shall hereafter be authorized by Law and the buying selling or transferring of tickets or chances in any Lottery shall be forever prohibited in this State.

Which was referred to the Committee on Miscellaneous Provisions.

Mr Thompson of Woodruff moved that the article on Execution department be taken up.

Which was agreed to

The Secretary read the Article on Execution department as follows.

Executive Department.

Section 1. The Executive Department of this State shall consist of a Governor, Secretary of State, Treasurer of State, Auditor of State and Attorney-General; all of whom shall reside and keep their Offices at the seat of Government and hold their Offices for the term of two years, and until their successors are elected and qualified.

Section 2. The supreme Executive power of this State shall be vested in a Chief Magistrate who shall be styled "The Governor of the State of Arkansas."

Section 3 The Governor, Secretary of State, Treasurer of State Auditor of State and Attorney-General shall be elected by the qualified electors of the State at large, at the time and places of voting for members of the General Assembly; the returns of each election therefor shall be sealed up separately and transmitted to the seat of government by the returning Officers, and directed to the Speaker of the House of Representatives, who shall, during the first week of the session, open and publish the votes cast and given for each of the respective Officers hereinbefore mentioned, in the presence of both Houses of the General Assembly. The person having the highest number of votes, for each of the respective Offices for which they were candidates, shall be declared duly elected thereto. But if two or more shall be equal and highest in votes for the same Office, one of them, shall be chosen by the joint vote of both Houses of the General Assembly, and a majority of all the members elected shall be necessary to a choice.

Section 4. Contested elections for Governor, Secretary of State, Treasurer of State, Auditor of State and Attorney-General shall be determined by both Houses

of the General Assembly, who shall have exclusive jurisdiction in trying and determining the same, and all such Contests shall be tried and determined at the first session of the General Assembly after the election in which the same shall have arisen.

Section, 5th. No person shall be eligible to the Office of Governor except a citizen of the United States, who shall have attained the age of thirty years, and shall have been seven years an inhabitant of this State.

Section, 6. The Governor shall be Commander-in-chief of the Military and Naval forces of this State, except when they shall be called into the actual service of the United States.

Section. 7. He may require any information in writing from the Officers of the Executive Department, on any subject relating to the duties of their respective Offices, and he shall see that the laws are faithfully executed.

Section 8. He shall give to the General Assembly from time to time, and at the close of his official term to the next General Assembly, information by message concerning the condition and government of the State, and recommend for their consideration such measures as he may deem expedient

Section 9. A seal of the State shall be kept by the Governor, used by him officially, and called the "Great Seal of the State of Arkansas".

Section 10. All grants and commissions shall be issued in the name and by the authority of the State of Arkansas, sealed with the Great Seal of the State, signed by the Governor, and attested by the Secretary of State

Section 11. No member of Congress, or other person holding office under the authority of this State, or of the United States, shall exercise the Office of Governor except as herein provided.

Sec. 12. In case of the death, conviction, or impeachment, failure to qualify, resignation or other disability of the Governor, the powers duties and emoluments of the Office for the remainder of the term, or until the disability be removed or a Governor elected and qualified shall devolve upon and accrue to the President of the Senate.

Section 13. If during the vacancy of the Office of

the Governor, the President of the Senate shall be impeached, removed from Office, refuse to qualify, resign, die or be absent from the State, the Speaker of the House of Representatives shall, in like manner, administer the Government.

Section. 4. Whenever the Office of Governor shall have become vacant by death, resignation, removal from office or otherwise, provided such vacancy shall not happen within the nine months next before the expiration of the term of Office for which the late Governor shall have been elected, the President of the Senate or Speaker of the House of Representatives as the case may be, exercising the Power of Governor for the time being, shall immediately cause an election to be held to fill such vacancy, giving by proclamation, sixty days previous notice thereof which election shall be governed by the same rules prescribed for general elections of Governor as far as applicable: the returns shall be made to the Secretary of state, who in the presence of the acting Governor and judges of the supreme Court, or one of them at least, shall compare them, and together with said acting Governor and Judge or judges, declare who is elected, and if there be a contested election, it shall be decided by the judges of the supreme Court, in manner to be prescribed by law.

Sect 15. Every bill which shall have passed both houses of the general assembly, shall be presented to the Governor; if he approve it, he shall sign it; but if he shall not approve it, he shall return it with his objections to the house in which it originated, which house shall enter the objections at large upon their journal, and proceed to reconsider it: if after such reconsideration, a majority of the whole number elected to that house, shall agree to pass the bill, it shall be sent with the objections to the other house, by which likewise it shall be reconsidered, and if approved by a majority of the whole number elected to that house, it shall be a law; but in such cases the votes of both house shall be determined by the "yeas and nays" and the names of the members voting for or against the bill shall be entered at the journals of each house respectively: If any bill shall not be returned by the Governor within five days (sundays excepted, after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the General assembly by their adjournment prevent its return, in which case it shall become a law unless he shall file the same with his objections in the office of the secretary of state; and give notice thereof by public Proclamation (written Twenty days after such,

adjournment.

Section. 16. Every order or resolution in which the concurrence of both Houses of the general assembly may be necessary, except on questions of adjournment, shall be presented to the Governor, and before it shall take effect be approved by him; or, being disapproved, shall be repassed by both Houses according to the rules and limitations prescribed in the case of a bill

Section 17. The Governor shall have power to disapprove of any item or items of any bill making appropriations of money embracing distinct items; and the part or parts of the bill approved shall be the law; and the item or items of appropriations disapproved shall be void unless repassed according to the rules, and limitations prescribed for the passage of other bills over the executive veto

Section 18. In all criminal and penal cases, except in those of treason and impeachment, the Governor shall have power to grant reprieves, commutations of sentence, and pardons after conviction, and remit fines and forfeitures under such rules and regulations as shall be prescribed by law. In cases of treason he shall have power by and with the advice and consent of the Senate, to grant reprieves and pardons, and he may, in the recess of the Senate, respite the sentence until the meeting of the next General Assembly.

Section. 19. The Governor may, by proclamation, on extraordinary occasions, convene the General Assembly at the seat of government, or at a different place, if that shall have become, since their last adjournment, dangerous from an enemy or contagious disease, and he shall specify in his proclamation the purpose for which they are convened; and no other business than that set forth therein, shall be transacted until the same shall have been disposed of; after which they may, by vote of two thirds of all the members elected to both Houses entered upon their journals, remain in session not exceeding fifteen days.

Section. 20. In cases of disagreement between the two Houses of the General Assembly, at a regular or adjourned session, with respect to the time of adjournment, the Governor may adjourn them to a time not beyond the day of their next meeting; and in case of danger from an enemy or disease, to such other place of safety as he may think proper.

Section. 21. The Secretary of State shall keep a fair and accurate record of all the official acts and proceedings of the Governor, and of both Houses of the General Assembly, and the same with all papers, minutes and vouchers relating thereto, before either branch

the General Assembly, and shall perform such other duties as now are, or may hereafter be enjoined upon him by law.

Section 22. The Treasurer of State, Auditor of State and Attorney-General, shall perform such duties as may be prescribed by law; they shall not hold any other office or commission civil or military, in this State, or under any State, or the United States, or any other power at one and the same time; and in case of vacancy occurring in any of said offices, or that of Secretary of State, by death, resignation or otherwise, the Governor shall fill said office by appointment for the unexpired term; Provided that such vacancy shall occur within nine months next before the general election thereafter, otherwise, the Governor shall issue his proclamation, giving sixty days' notice, ordering an election to fill such vacancy under the same rules and regulations, and to be conducted in all respects as is herein provided, for filling the vacancy in the office of Governor.

Section. 23. The officers named in this article shall receive for their services a salary, to be established by law, which shall not be increased or diminished during their official terms, and they shall not, after the expiration of the terms of those in office at the adoption of this Constitution, receive to their own use any fees, costs, perquisites of office, or other compensation. And all fees that may hereafter be payable by law, for any service performed by any officer provided for in this article of this Constitution, shall be paid in advance into the State treasury; Provided that the salaries of the respective officers of the Executive Department herein mentioned shall never exceed, for Governor, the sum of dollars a year.
for Secretary of State the sum of dollars a year
for Treasurer of State the sum of dollars a year
for Auditor of State the sum of dollars a year
and for Attorney General the sum of dollars a year.

Mr. Pontney of Lincoln appeared in his seat and answered to his name.

Mr. Jeffrey of White moved to amend by striking out the word "Reside" in 2d line and the word "and" in third line.

Pending the discussion of the Amendment the special order of the day was called up.

Mr. Eagle Chairman of the Committee on Engrossment made the following report,

Mr President

Your Committee on Engrossment have examined "Ordinance" herewith returned and find the same correctly engrossed.

Mr President

Your committee on Engrossment have examined article on "Counties, County Seats and County lines" and find the same correctly engrossed

The reports of the Committee were received.

The article on Finance was then taken up and read.

The question being first shall the Ordinance pass.

Mr Fishback called for the previous question, which call was sustained and the previous question ordered.

The Secretary called the roll and the following named members voted in the Affirmative

Anderson, J. Tex. Anderson, J. Craighead. Burson. Bailey. Burnes
Blackwell. Brown. Bates. Brown. Bryant J. Baxter
Bryant J. White. Cunningham. Custer. Carroll. Cabler
Calder. Cagle. Crisp. Dunaway. Dodson. Dickson
Eagle. Fishback. Gibson. Gardenhire. Greeley. Goodwin.
Hearn. Hamilton. Harrison. Hughes. Hanna. Howell.
Johnson. Killgore Kuper Lucas. Lindsey. Lake.
Miller. Moore Patterson. Price Parrott. Pelham.
Rogers. Ross. Rector Rutherford. Reinhardt.
Stanley. Sorrels. Thomason & Washington. Thompson.
Williams J. Little River Williams J. Sharp. Williams J. Vernon.
Walker. Wise.

The following named members voted in the negative

Berry. Barnes. Copeland. Crowley. Dorsett. Flanagin
Frierson. Horner. Hawkins. Jones. Joyner. Kelley.
O'Sullivan Pinkney. Perkins. Polk. Scott. Thomason J. Crawford
White & Mr President.

In the affirmative 59.
In the negative 20
Not voting 12
91.

So the Ordinance was passed.

Mr Copeland & Crittenden sent the following explanation of his vote to the Secretarys desk.

Mr President

Believing that this Convention does not possess Legislative powers and that we have no right to pass an Ordinance to take effect until it is ratified by the people I vote No.

Mr Hanna & Conway sent to the Secretarys desk the following explanation of his vote.

I favor the adoption of this Ordinance; first- because I believe that this Convention, representing the whole people has the right to dispose of the peoples money, for the peoples interest

Second - Because the adoption of this Ordinance, will in a great measure diminish the extravagant depletion of the State Treasury - I therefore vote "Yes."

Mr Jones, of Bucha, sent to the Secretarys desk the following explanation of his vote.

I am in some considerable doubt as to the power of this Convention to borrow or appropriate the funds of the State, and desiring to be on the safe side, I vote No.

Mr Polk, of Phillips, sent to the Secretarys desk the following explanation of his vote,

Mr President

I vote no, because I am opposed to interfering with the school funds of the State.

Mr White of Phillips, sent to the Secretarys desk the following explanation of his vote

Mr President.

I vote no for the Ordinance under consideration for the reason that it proposes to take out of the Treasury funds that are held sacred for school purposes.

When the name of Mr Downs of Calhoun was called Mr Barnes of Pulaski presented his excuse on account of illness.

The Article on Executive department was again taken up

The question recurring upon the amendment offered by Mr Lybert of White

The ayes and noes were called for and ordered.

The Secretary called the Roll and the following named members voted in the Affirmative.

Anderson of Lee. Anderson of Craighead Branch
Butler of Independence Berry. Bailey Brown-
Blackwood. Brown. Bates Bowen. Lybert of Bryte
Lybert of White. Cleveland. Cunningham. Crowley
Crutcher. Carroll. Cable. Eagle. Chism Dunaway
Dozier. Dodson. Eakin. Eagle. Flanagin. Frierson.
Gibson. Garland. Goodwin. Horne Harrison.
Hinson. Hughes. Hawkins. Johnson. Jones.
Lawrence. Killgore Kelley. Leiper. Lucas.

Lindsey. Luke. Mansfield. Mcaferty. Miller. Moore.
Patterson. Pendney. Price. Perkins. Parrott. Pullian.
Polk. Rogers. Ross. Rutherford. Reinhardt. Smith
Sorrels. Thomason of Crawford. Thomason of Washington
Thompson. Williams of Jefferson. Williams of Little River
Williams of Sharp. Williams of Union. White. Walker.
Mr. Pitt & Mr. President.

Those voting in the Negative were as follows

Barnes. Carter. Fishback Gulley. Hampton. Hanna
Howell. O'Sullivan Proctor Stanley Scott.

In the affirmative 73
In the Negative 11
Not voting 7
91

So the amendment was adopted.

Mr. Thomason of Hempstead, offered the following amendment

Amend by inserting the words "in person" after the word "officers" where it first occurs in the third line

which was adopted.

Mr. Barnes of Pulaski, moved to amend by adding Sec. Thereon which was rejected.

Mr. Barnes of Pulaski, moved to make the term of office 4 years instead of two years.

The question being taken the amendment was Lost.

Mr. Kilgore of Columbia, then offered the following amendment

Amend by striking out the words "and Attorney General" in the second line and inserting the word "and" before the word "Auditor" in the same line.

Which was rejected.

Mr. Leiper of Dallas, moved to amend as follows

Insert after Auditor of State in 2nd line, "Commissioner of State Lands." Also first line section 3 after Auditor of State insert Commissioner of State Lands.

Mr. O'Sullivan of Pulaski moved further to amend as follows.

After words "Auditor of State" insert Commissioner of State Lands and Immigration.

Pending the discussion of the amendment Mr. Eagle

of Lomote chairman of the Committee on Engrossments made the following report.

Mr President

Your committee on engrossment, have examined article on "Municipal and Private Corporations and find the same correctly engrossed.

The report of the Committee was received.

The hour of ten o'clock having arrived the Convention took up the article on "Municipal and Private Corporations" set for that hour.

The question was put shall the Article on "Municipal and Private Corporations pass.

The Secretary called the Roll and the following named members voted in the affirmative.

Anderson, of Lee. Anderson, of Craighead. Burnett (Butler of Independence) Bailey. Barnes. Blackwell. Brown Bates. Bowen. Cypert of Baxter. Copeland. Cunningham. Crowley. Cureton. Carroll. Cable Carter. Eagle. Chism. Dinsmore. Dowell Dodson. Eakin. Eagle. Flanagin Frierson Fishback. Gibson. Garland. Kelley. Goodson House. Hampton. Harrison. Horton Hughes Hawkins. Hanna. Howell. Johnson. Joyner Killgore. Kelley. Kirkpatrick. Leiper. Lucas. Lindsey. Lake. Mayberry. Miller Nixon. O'Sullivan. Patterson. Price. Parrish Pittman Polk. Rogers. Ross. Rector Rutherford. Leonhardt. Smote Stanley. Sorrels. Thompson Williams of Jefferson. Williams of Little River Williams of Shark. Williams of Marion. White. Witt & Mr President.

The following named members voted in the negative

Mansfield. Perkins. Thomason of Crawford, Thomason of Washington & Walker.

In the Affirmative	76.
In the Negative	5
Not voting	16
	97

So the Article on Municipal and Private Corporations was passed.

Mr Harrison of Yell, sent to the Secretary's desk the following explanation of his vote

"Aye" because I am in

favor of most of the provisions of the article, at the same time protest against that provision that no Banking Institution shall ever be established in this State if such become a necessity for convenience of trade and Commerce.

The article as adopted reads as follows.

Municipal and Private Corporations.

Section 1. All existing charters or grants of special or exclusive privileges under which a bona fide organization shall not have taken place and business been Commenced in good faith at the time of the adoption of this Constitution shall thereafter have no validity.

Section 2. The General Assembly shall pass no special act conferring corporate powers except for charitable, educational, penal, or reformatory purposes, but the Corporations created are to be and remain under the Patronage and control of the State.

Section 3. The General Assembly shall provide by General laws for the organization of cities (which may be classified) and incorporated towns; and restrict their power of taxation, assessment, borrowing money, and contracting debts so as to prevent the abuse of such power.

Section 4. No Municipal corporation shall be authorized to pass any laws contrary to the General laws of the State nor levy any tax on real or personal property to a greater extent in one year than five mills on the dollar of the assessed value of the same, provided that to pay indebtedness existing at the time of the adoption of this Constitution an additional tax of not more than five mills on the dollar may be levied.

Section 5. No county, city, town or other Municipal Corporation shall become a stock-holder in any Company association or Corporation or obtain or appropriate money for or loan its credit to any Corporation, association, institution or individual.

Section 6. Corporations may be formed under general laws which laws may from time to time be altered or repealed. The General Assembly shall have the power to alter, revoke, or annul any charter of incorporation now existing and revocable at the adoption of this Constitution, or any that may hereafter be created whenever in their opinion it

may be injurious to the citizens of this State, in such manner however that no injustice shall be done to the corporation.

Section 5. Except as herein provided the State shall never become a stock-holder in, or subscribe to, or be interested in the stock of any corporation or association; nor shall the credit of the State ever be pledged or loaned in aid of any person association or Corporation, other than such as are specified in section two of this article

Section 6. No private Corporation shall issue stocks or bonds except for money or property actually received or labor done; and all fictitious increase of stock or indebtedness shall be void; nor shall the stock or bonded indebtedness of any private corporation be increased, except in pursuance of General laws; nor until the consent of persons holding the larger amount in value, of the stock shall be obtained at a meeting held after notice given for a period not less than sixty days in pursuance of law.

Section 7. No property, nor right of way, shall be appropriated to the use of any Corporation until full compensation therefor shall be first made to the owner in money, or first secured to him by a deposit of money, which compensation irrespective of any benefit from any improvement proposed by such Corporation, shall be ascertained by a jury of twelve men in a court of competent jurisdiction as shall be prescribed by law.

Section 8. No act of the General Assembly shall be passed authorizing the issue of bills, notes or other paper which may circulate as money, shall take effect until submitted to the people at the general election next succeeding the passage thereof, and approved by a majority of the electors voting at such election and the redemption of all such paper shall be fully secured by the deposit of such securities as may be prescribed by law.

Section 11. Foreign Corporations may be authorized to do business in this State under such limitations and restrictions as may be prescribed by law provided that no such corporations shall do any business in this State except while it maintains therein one or more known places of business and an authorized agent or agents in the same upon whom any process may be served and as to contracts made or business done in this State, they shall be subject to the same regulations, limitations and liabilities as like Corporations of this State and shall

exercise no other or greater powers, privileges or franchises than may be exercised by like Corporations of this State, nor shall they have power to condemn or appropriate private property.

Sec 12. Except as herein otherwise provided, the State shall never assume or pay the debt or liability of any County, town, city or other Corporation whatever, or any part thereof unless such debt or liability shall have been created to repel invasion, suppress insurrection or to provide for the public welfare and defense, nor shall the indebtedness of any Corporation to the State ever be released or in any manner discharged save by payment into the Public Treasury.

The article on Executive department was again taken up.

The question then occurred upon the amendment to the amendment

which was rejected

Mr Bryant of White offered the following amendment.

Add to the section "and the general assembly may provide by law for the establishment of the office of Commissioner of state lands.

which was adopted.

The question then occurred upon the adoption of the amendment to the section.

The "ayes and noes" were called for and ordered

The Secretary called the roll and the following named members voted in the affirmative.

Anderson of Lee, Anderson of Craighead, Bunch Bailey, Blackwood, Brown, Bryant of Baxter Bryant of White, Conley, Cook, Carroll, Clark Chism, Dinsmore, Dodson, Eagle, Flanagin Frauen, Garland, Gulley, Goodwin, House Harrison, Horner, Hughes, Hawkins, Joyner Kilgore, Kirby, Knisworthy, Leiper, Lindsey Lake, Mansfield, Nicely, Pierce, Perkins Parrott, Polk, Rogers, Ross, Rector, Reinhardt Smoote, Smith of Calhoun, Sorrels, Thompson Williams of Jefferson, Williams of Little River Williams of Clark, Williams of Union, White, Watt and Mr President

The following named members voted in the negative

Burks of Independence, Burns, Bames
Bates, Copeland, Cunningham, Cable,
Eagle, Dowell, Eakin, Fishback, Gibson
Hanna, Harvell, Jones, Lucas, Murphy,
Miller, O'Sullivan, Patterson, Pulliam,
Rutherford, Stanley, Scott, Thomason of
Crawford, Thomason of Washington and
Walker

In the affirmative 54
In the negative 27
Not voting. 10
91

So the amendment to the section was agreed to.

Mr Hanna sent the following explanation of his vote to the secretary desk. "I vote "no" on account of the specialties and exceptions the article contains.

The hour of 11 o'clock having arrived the convention passed to the consideration of the special order of the day. Being the third reading and final passage of the article on counties county seats and county lines

Mr Smith of Saline offered the following amendment as an engrossed rider

"No territory shall be added to any County without the consent of a majority of the voters of the county to which it is proposed to be added, and the portion so stricken off and added to another county or formed in whole or in part into a new county shall be holden for and obliged to pay its proportion of the indebtedness of the County from which it has been taken.

Mr Gibson of Arkansas moved to lay the amendment on the table.

which was carried.

The question then recurred upon the adoption of the article the roll was called and the following named members voted in the affirmative

Anderson of Lee Anderson of Craighead Branch
Bailey. — Barnes. Blackwell Bates Bowen
Cypert of Baxter. Copeland Cunningham

Austin, Carroll, Cobler, Carter, Cayle, Chism
Dunaway, Dodson, Eakin, Eagle, Flanagin
Frierson, Fishback, Gibson, Garland, Gulley
Gordon, Horne, Harrison, Hughes, Hutchins
Atwell, Killgore, Joyner, Kelly, Kinsworthy
Leiper, Lucas, Lindsey, Lake, Mansfield
Murphy, Miller, Nixon, O'Sullivan, Pattison
Pierce, Perkins, Pulliam, Polk, Rogers,
Ross, Rector, Rutherford, Reinhardt, Smoot
Stanley, Scott, Smith of Calhoun, Woods, Thomson
of Crawford, Thomason of Washington, Thompson
Williams of Jefferson, Williams of Little River
Williams of Sharp, Williams of Union, White
Walker, and Mr President

Those voting in the negative were

Hanna and Jones,

In the affirmative	71
In the negative	2,
Not voting	18
	91

So the article on Counties County seats and County lines was adopted.

Mr Stanley of Drew sent to the secretary's desk the following explanation of his vote,

Mr President. I vote yea on the report as it stands, but I am very much opposed to special legislation, as is in this report, when it makes special legislation in the counties of Lafayette, Pope, Johnson and Sebastian.

The article as adopted reads as follows, to-wit:

Counties County seats, and County lines.

Section 1. No county now established shall be reduced to an area of less than six hundred Square miles nor less than five thousand inhabitants except the counties of Lafayette, Johnson or Pope, nor be so construed as to prevent further legislation, concerning the line between said counties of Pope and Johnson, nor shall any new county be established with less than six hundred Square miles and five thousand inhabitants except the County of Lafayette.

Section 2. No part of a county shall be taken off to form a new County, or a part thereof, without the consent of a majority of the voters in such part proposed to be taken off.

Section 3. No county seat shall be established or

changed without the consent of a majority of the qualified voters of the county to be affected by such change, and until the place at which it is proposed to establish a change any county seat shall be fully designated; provided, that, in the formation of new counties, the county seat may be located temporarily, and until permanently established by provisions of law.

Section 4. In the formation of new counties, no line thereof shall run within ten miles of the county seat of the County proposed to be divided except the County Seat of Lafayette County.

Section 5. Sebastian County may have two districts and two county seats at which county, probate and Circuit Courts shall be held as is now or may be provided by law.

The Article on Executive department was again taken up.

Mr Thomason offered the following amendment

Amend by inserting after the word "Attorney-General" in the second line, the words, ~~who~~ shall be, until otherwise provided by law ex officio Prosecuting Attorney for the Judicial Circuit in which the seat of government is situate.

Which was not agreed to.

Mr Williams of Jefferson moved to amend by adding the office of Commissioner of Education to the first Section

Mr Gibson of Arkansas called for the previous question. Which call was sustained.

The "ayes and noes" were ordered.

The Secretary called the roll and the following named members voted in the affirmative.

Barnes. Brown. Copeland. Fishback. Jones. Kersey O'Sullivan. Perkins. Williams of Jefferson & White.

Those voting in the negative were

Anderson of Lee. Anderson of Craighead Benoh Butler of Independence. Bailey. Benson. Blackwell. Bates. Brown Cypert of Baxter. Cypert of White. Cunningham. Crowley Carroll Cabler Carter. Cagle. Chism Dunaway Dowell. Dodson. Edkin. Eagle. Flanagin. Frierson. Gibson Garland. Gulley. Goodwin. Horne Harrison Horton. Hughes, Hawkins. Hanna Howell.

Joyner. Kellgon. Kelley. Kinsworthy. Leeper. Lucas. Lindsey.
Lake. Mansfield. Miller. Nixon Patterson. Pierce Parbott
Pulliam. Polk. Rogers. Ross. Ruston. Rutherford
Reinhardt. Snoots. Stanley Scott. Smith of Saline.
Thomason of Crawford. Thomason of Washington. Thompson
Williams of Shark. Williams of Wirin. Walker Watt
and Mc President.

For the affirmative 16
For the negative 69
Not voting 12
91

so the amendment was not agreed to -

Mr Cypert sent to the Secretarys desk the following explanation of his vote

Vote no because I think the duties of this office can be performed by some one of the Executive officers already provided for

Mr Miller of Randolph, offered the following amendment

and there shall be no additional State officers created by act of the General Assembly, but by consent of the Convention withdrew the same before the question was put.

Mr Smith of Saline moved to strike out 11th line in section 3

which was not agreed to.

Mr Eakin of Hempstead offered the following amendment

After by in 2nd line insert "the members of" and add after General Assembly - "in joint Session"

which was adopted.

Mr Anderson of Lee offered to amend -

which was lost

Motion of Mr Rector of Garland the rules was suspended and introduced the following resolution

Resolved. That the Bay of Clow Kiphon of this Convention shall be at the rate of Three dollars per diem

Which was adopted -

Mr Leiper of Dallas moved to amend as follows

After State in 2nd line insert Commissioner of State -

Lands when created by the General Assembly

which was lost-

The Convention then took a recess until 4 o'clock P.M.

After Recess

A quorum of the Convention present.

Mr Fishback of Sebastian, asked the suspension of the rules for the purpose of introducing an Ordinance

The rules was suspended and Mr Fishback introduced the following.

Be it Ordained by the people of Arkansas in Convention Assembled

and State lands

That the Commissioner of Immigration be and he is hereby instructed not to receive in payment for any lands of the State Levee bonds issued under an act of the General Assembly entitled "An Act providing for the building and repairing the Public Levees of the State and for other purposes" Approved March 6-th 1869, and acts supplemental or amendatory thereto until otherwise provided by Law or directed by this Convention.

The Ordinance under a suspension of the rules was read

Mr Fishback moved a further suspension of the rules and that the Ordinance be read the second time.

The rules were suspended and the Ordinance read a second time by title.

The Convention refused to further suspend the rules and the Ordinance laid over until to-morrow.

Mr Fillgore, of Columbia, introduced the following resolution.

Be it resolved, that the Officers and employees of this Convention be paid at the following rates to-wit-

The President $12,00 per day in currency
The Secretary 8,00 " " " "
The two Secretaries & Journal clerk $6 00 per day " "
The Sergeant-at-arms $ 3,00 per day
The Chaplain $ 3,00 " "
The Pages 1 50 " "

Assistant Door-Keeper $3,00 per day in currency
The Clerks of Committees 3 00 " " "

While the Committees were in session, this time to be certified to by the Chairmen of Committees

For transcribing and copying the proceedings of the Convention in a record book under the Resolution of the Convention ten cents per hundred words figures excepted.

"For copying" and furnishing the printer with copies of reports to print, when the work is more than the regular Officers can do ten cents per hundred words figures excepted.

The President shall certify to the services as herein stated and to the current expenses of this Convention, which shall be attested by the Secretary and be sufficient authority for the Auditor to draw his warrant upon the Treasurer therefor

After sundry amendments and motions the amounts were shickened out and filled as follows by amendments

The President Twelve dollars per day
The Secretary Eight Dollars per day Currency
The Secretaries Six dollars per day Currency
The Journal Clerk Six dollars per day Currency
The Sergeant-at-arms Three dollars per day Currency
The Chaplain Three dollars per day Currency
The Pages one dollar and fifty cents per day Currency
The Clerks of Committees Three Dollard per day while the Committees were in session, and the time employed to be certified by the Chairmen of the respective Committees.

For transcribing and copying the proceedings of the Convention in a record book under a resolution of the Convention ten cents per hundred words figures excepted.

For copying and furnishing the printers with copies of reports to print when the work is more than the regular Officers can do Ten cents per hundred words, figures excepted.

The resolution then as amended was adopted

The Convention then adjourned, on motion

of Mr Kilgore of Columbia until to-morrow morning at 8 o'clock.

Thomas W. Newton
Secretary

Granderson D Ruff
Pro-Tempore

Friday Morning.
8 o'clock,
August 14th 1874.

The convention met pursuant to adjournment.

The roll was called and the following named members answered to their names.
Anderson of Craighead Bunch Butler of Independence
Berry, Bailey Bunn, Blackwell Bates
Brown. Cypert of White. Cypert of Bayler, Cummingham
Crisler. Carroll. Cabler Carlee Dorris
Dunaway Dodson Eakin. Eagle Flanagin
Frierson Fishback Gibson Garland Gulley
Gordon Stone Hampton Harrison Hawkins
Hinna Howell Johnson. Joyner Kilgore
Kelley Kennerly Lajon. Lucas. Lindsey
Lake. Mosely, Murphy, Miller Nixon
Patterson Pridgeon Pierce Parrott Pulliam
Polk Rogers. Ross. Rector Rutherford
Reinhardt Smoote, Stanley, Scott, Sorrells
Thomason of Crawford. Thomason of Washington
Williams of Jefferson. Williams of Little River
Williams of Sharp. Williams of Union White Walker
and Mr President.

Those members not answering to their names are as follows.
Anderson of Lee. Butler of Pulaski Barnes Brown
Copeland Crowley, Cagle. Chism Fishback
Horner. Jones. Leslie, Mansfield. Quillian
Perkins Smith of Lafayette Smith of Saline
Thompson and Witt.

A quorum of the convention present.

Prayer by the chaplain

The journal of yesterday was read and approved.

The following named members appeared on their seats and answered to their names.
Perkins, Cagle. Thompson. Worrell Hampton
Jones, Anderson of Lee Quillian Barnes.
Copeland Chism Witt Mansfield and
Smith of Lafayette.

The president laid before the convention the communication from Maj. General Churchill in response to a resolution of the convention.

Little Rock Arkansas.
August 13th 1894

Hon G. D Royston
President Constitutional Convention
Sir.

In response to the resolution of the convention adopted on the 12th inst calling on the Maj Genl. Commdg the Arkansas State Forces for information in regard to the number of officers and men in active service and under pay, and the daily cost of said officers and men — I have the honor to submit the following report.

All the state forces both officers and men that were called into service by the insurrection of Joseph Brooks were mustered out of the state service on the 3d day of June and consequently draw no pay after that date except the following.

Maj Genl. T. J Churchill Commdg. Ark. State Guards
A. Belding Col + a. a. Genl
Gen. a Davis Col + Qr. Mr. + Comy General relieved
H. H. Rottaken Col + Chief of Ordinance relieved
J. A Slaughter Col + Dr. Mr in chief Resigned June 25th
J L. Alden Maj. + Chief of Transportation " " 25th
W. F Green Capt + a. D. C. " July 12th
Sam Brunklin Col. + Dr. Mr to Staff White.
D. C Adams Maj + Commissary.)
1 Major.
2 Captains
4 Lieutenants.
1 Adjutant and 120 men composing Mans Battalion were continued in service until 18th July when they were mustered out of service.
Maj. General T. J Churchill caused to draw his salary on the 17th July though was continues to perform the duties of his office

The following named officers and men are all that are now in the active service of the state and drawing pay therefor

Col. C H Ward. Chief Quartermaster, Chief Commissary and Chief of Ordinance
Col A Belding A A General and Lieutenant A J Smith commanding 20 men composing Company "A" Arkansas State Guards now on duty at the State House

The daily cost of continuing the above officers and men in the service as near as can be estimated is $ 40-

All the officers and men in the service of the State from the time they were first called into the service, to the

present day - except the privates of Marks Battalion - have been paid in State Script. Auditors warrants or Bonds at their face & value dollar for dollar

In my opinion the services of the Officers and men on service can not be dispensed with and that there is an imperative necessity for at least 25 men on duty at the State House until the Constitution is adopted and the new Government goes into operation.

All of which is respectfully submitted

W J Churchill

Maj Gen'l Comd'g Ark State Guard

The President also communicated the following letter from G. B. Shepard Prosecuting Attorney 10th Judicial Circuit. which is as follows.

Clarksville Arkansas

Aug 11th 1874.

Hon. G. D. Royston

President of Constitutional Convention

Little Rock

Sir -

In cases where applications have been made by Officers of the State for Copies of the New Digest answer has been returned that there is no Law authorizing the distribution of Gantt's Digest to the different Counties, it is needed by the Officers in all parts of the State, almost every day and it is impossible for them to know or execute the Law correctly without it; If the Convention would pass an Ordinance directing the distribution of said Digest, this would prevent Great Confusion and expense and would greatly promote the convenience of the People citizens and Officers interested in the administration of justice, would be much gratified by prompt action in that matter, as it is not possible that something may be done to meet the wishes of the people.

Very respectfully

Your obedient Servant

G B Shepard.

Prosl Atty 10th Circuit

Mr Kilgore introduced the following resolution,

Resolved. That the President of this Convention be authorized to appoint a Committee of three Delegates to examine into the expenses accounts of this Convention as presented, whose duty it shall be to certify the correctness of the same.

Which was adopted -

The President announced as such Committee Messrs F. White Thompson of Woodruff & Engle of Lonoke

The President then submitted the following communication from Brig Genl McCanaay Adjutant Genl of the State in response to a former resolution.

State of Arkansas.
Adjutant Generals Office
Aug 13th 1874

To the
Honorable the Officers and Members
of The Constitutional Convention
of The State of Arkansas.

Gentleman

I have the honor to acknowledge the receipt of a copy of a resolution of your honorable body of the 12th inst requesting one to furnish the information asked for in a resolution adopted by the Convention on the 30th day of July 1874, and in compliance therewith; I respectfully submit the following Report=

The Officers and men of the Arkansas State Militia called into the service of the State for the purpose of suppressing the insurrection and attempted overthrow of the State Government by Joseph Brooks and his followers, were relieved from active duty by General orders No 25, dated Head Quarters Adjutant Generals Office June 3rd 1874. Except Maj Genl. T J Churchill and such officers and men as he deemed necessary to retain in the service, and the officers and men composing the Battalion known as the "Governors Guards." The names of the officers with their rank, and the number of men continued in service after the date of the order referred to, are as follows=

T J Churchill Major General
A. Belding Col & Asst Adjt Genl on Gen Churchills Staff.
Geo A Deers Colonel and Chief Commissary.
H. H. Rootheen Colonel and Chief of Ordinance.
J A Slaughter Colonel and Chief Quartermaster.
J. S. Hilton Major and Chief of Transportation.
W T. Green Captain and Aid De Camp
Sam Franklin Colonel and Chief Quartermaster on the Staff
of Genl H King Wrote retained in Service to collect arms and
other Stores pertaining.
D C Adams Major and Asst Commissary.
P. T Mears, Colonel Battalion "Governors Guards"
Wallis Watkins Captain Co "A" Govrs Guards-
E T Doyle Captain Co "B" Govrs Guards
A J Smith 1st Lieut Co "A" Govrs Guards.
C R Schaer 1st Lieut Co "B" " "
C Lovejoy 2nd Lieut Co "B" " "
Geo A. J Paine 2nd Lieut Co "A" Gov "
C V. Sybrg 2nd Lieut & Adjt of "the" Battalion,
And about one hundred and twenty men enlisted composing the Battalion known as the "Governors Guards," on the 18th of

July 1874 the Major Commanding and the Adjutant of the Battalion and all the Officers and men of Co. "B" and Twenty men belonging to Co. "A" of the Battalion were mustered out and discharged from the service, on the 5th inst all the Officers and men of Co "A" except Lieut A. J. Smith and twenty men were mustered out of service,

Colonel J. A Slaughter resigned June 23rd 1874
Major J S Alden resigned June 25th 1874.
Captain W F Green A. D C resigned July 12th 1874.
Col's Davis and Rollakin were relieved from duty on the 8th inst and Major D. C. Adams was relieved on the 13th inst
Genl. J. F Churchill is performing active duty as Commander of the Militia Forces of the State. But at his request he has not been under pay since the 17th day of July last.

The Militia Forces of the State are being thoroughly organized under provisions of the Militia Law of 1868. and formed into Companies, Regiments, Brigades and Divisions, but they do not receive pay only when called into active service and therefore there is no expense attending the present organization.

As will appear from the foregoing statements the only Officers and men of the State Militia now on active duty and drawing pay are
A Belding Col & Asst-adj't Genl on the Staff of Genl Churchill
C. H. Wood Col & acting Quartermaster Genl & acting Commissary Genl & acting Chief of Ordinance
A J Smith Lt Commanding detachment "Gov. Guards" and Twenty (20) enlisted men.
The estimated cost per day of maintaining this small military force is about Forty Dollars per day in United States Currency and is being paid at present out of the Executive Contingent Fund.

Very respectfully
Your Obedient Servant
M McCarran
Adjutant General

The unfinished business was then taken up.
Being the consideration of the Ordinance to prevent the payment of Levee Bonds for Lands of the State.

The question being upon the adoption of the Ordinance which had first been read the third time.

Mr Smoot of Columbia, moved to lay the Ordinance on the table until the Constitution was framed.

Upon which motion Mr Feilbach of Sebastian, called for the "Ayes & Noes"
Which call was sustained

The Secretary called the Roll and the following named members voted in the Affirmative.
Anderson, of Lee Henderson of Craighead. Bench.

Butler, of Independence. Berry. Bailey. Bunn. Barnes. Blackwell.
Brown. Bypass, of Baxter. Copeland. Cunningham. Eagle.
Downs. Dorsey. Dodson. Flanagin. Grierson. Garland. Gulley
Goodwin. Horton. Hughes. Hawkins. Jones. Joyner. Kelley.
Miller. Nixon Prentiss. Perkins. Parrott Polk. Rutherford.
Smoot. Stanley Smith, of Saline. Thompson. Williams of Chicot
& Mr President.

Those voting in the negative were

Bates. Brown. Bypass of Baxter. Cusic. Carroll. Cables.
Carter. Chilcoat. Dunaway. Eakin. Eagle. Fishback
Gibson. Horne. Hamphill Harrison. Hawkins. Howell
Kingsworthy. Leiper. Lucas. Lindsey. Lake. Mosley.
Mansfield. Murphy. Patterson. Pierce Pulliam Rogers
Ross. Rector. Turnbaugh Stanley. Scott. Smith of
Lafayette.) Sorrels. Thomason, of Crawford. Thompson of
Washington.) Williams of Jefferson. Williams of Little River
Williams of Union.) White. Walker. Wise.

In the affirmative 21
In the negative 44
Not voting 1
91

So the motion to lay on the table was not agreed to.

Mr Hawkins, of Ashley, sent to the Secretary's desk the following explanation of his vote.

Mr President

I vote I because I believe we as a Constitutional Convention have no such powers as are foreshadowed by the measure. I believe we are clothed with a qualified power only. and that that power extends alone to the formation of a Constitution and the passage of such ordinances as may be necessary to put it into operation.

Mr Barnes of Pulaski, sent to the Secretary's desk the following explanation of his vote.

I vote against the adoption of this Ordinance because I do not believe the Convention possesses the power to adopt said Ordinance, it is not within the express or implied power of this Convention, and because the Ordinance is proposed to be passed in hot haste and looks directly to the repudiation of the entire State debt.

Ending the Roll call Mr Crowley answered to his name.

The question then recurred upon the adoption of the Ordinance.

The roll was called and the following named members voted in the affirmative

Bunch. Bailey. Blackwell. Bates. Bowen.

Cypert, of Baxter. Cypert, of White. Cunningham.
Crowley. Custer. Carroll. Calder. Carter.
Chism. Dunaway. Dodson. Eagle. Eichbock
Gibson. Garland. Gayley. Goodwin. Howe
Hampton. Harrison. Hanna. Howell. Kilgore
Kelley. Kinsworthy Lepse. Lucas. Lindsey.
Lake. Mosley. Mansfield. Miller Niven
Patterson. Price Parrott Pulliam Rogers
Ross. Rector. Reinhardt Smoot Scott-
Sorels. Thomason of Crawford. Thomason of Washington
Thompson. Williams, of Little River. Williams, of Shark
Williams, of Union. White, Walker
Wells & Mr. President.

Those voting in the negative were

Anderson of Lee, Anderson, of Craighead Butler of Independence
Berry. Bunn. Barnes Brown. Copeland
Bowers. Boswell. Eakin. Flanagen. Frierson.
Hogmon. Hughes Hawkins. Jones. Joyner
Murphy. Pennington. Perkins. Polk. Rutherford
Stanley. Smith, of Lafayette. Smith, of Saline.
Williams, of Jefferson.

In the affirmative 59
In the negative 29
Not voting 5
91

So the Ordinance was passed

On motion of Mr Thompson, of Woodruff. the article on Executive department was taken up

Mr Harrison, of Pulk, offered the following Amendment-

"Strike out First and 2nd line "Secretary of State, Treasurer of State and Attorney General".

Mr Cypert, of Baxter, called for the previous question

The Call was sustained and the previous question ordered

The question then recurred upon the Amendment- which was rejected.

Mr Thompson of Woodruff, moved to strike out the word "Any" in first line in Section 7

which was adopted

Mr Eagle, of Stone offered the following

Amend Section 14 in line 8 - Strike out the word (Sixty) and insert thirty.

Which was lost -

Mr Eakin of Hempstead moved to strike out all after the word "Governor" and "shall" on the 9th line and in line 10 between "Governor" and "declare"

Mr Snoots of Columbia, moved to further amend by striking out section 9, which was not agreed to.

The question then recurred upon the amendement
The question being taken the amendment was carried

Mr. Eakin moved to strike out the word Judge, in 11th line and add Attorney General
Which was carried.
Mr Thomason, of Crawford, moved to strike out nine months and insert twelve months,

Which was adopted.

Mr Smith of Lafayette, moved to add after the word Attorney General the words "or a majority of said officers"
Which was carried

Mr Rector of Garland moved to strike out the words "the Judge of the supreme Court" and insert the word "them".

Mr Mansfield of Franklin moved further to amend as follows

Amend by striking out all after the words contested election. and insert the following "it shall be decided as may be provided by law",

Which was accepted by Mr Rector,
Which was adopted.

Mr Thomason of Washington moved to strike out the second line before word "twelve".
Which was adopted.

Mr Smith of Lafayette moved to amend by striking out words from "and" on 9th line to word "declare" on 10th line.

Which was carried

Mr Thompson of Woodruff moved to strike out in 9th line the words "of a majority of said officers" and insert the words "or either of them".

Mr Williams of Jefferson, offered the following as amendment to the amendment.

And the Acting Governor, Secretary of State and

Attorney-General shall constitute a Board of Canvassers - a majority of whom shall compare said returns and declare who is elected.

Which was adopted.

Mr Garland then offered the following as a substitute

And the vote shall be counted and contested elections decided in case there should be any as the legislature may hereafter prescribe.

Which was not agreed to

Mr Thomason of Crawford offered the following as a substitute after the words Secretary of State as follows

And Attorney General or one of them shall compare such returns and declare who is elected and if there be a contested election it shall be determined in such manner as may be provided by law.

Which was rejected.

Mr Hughes offered the following

Insert after Attorney General in 9th line Auditor of State and after elected in 10th line, provided neither of them shall be competent to act, if a candidate for Governor at said election.

Which was not agreed to -

Mr Howe of White moved to reconsider the vote had on Section 4. Which was carried.

Mr Howe offered the following amendment to Section 4.

Except as herein after provided in the case of special elections.

Which was adopted.

Mr Rector moved to strike out the words "of each House respectively". in 9th line in Section fifteen.
Which was carried.

Mr Frierson of Cross moved to strike out Section seventeen, but withdrew the same before the question was put, by consent of the Convention.

Mr Smith of Saline moved to strike out the word "meeting" in sixth line section 18th and insert the word "adjournment"
Which was adopted -

Mr Brown moved to amend by inserting after words "Sept" in 6th line Section 18 "Session of"

Mr Erkin of Hempstead moved to further amend by inserting word "regular" after the word next in 6th line Section 18 which was accepted by Mr Brann.

And was adopted.

Mr Thomason, of Crawford, offered the following amend=ment

"He shall communicate to the General Assembly at every regular session each case of reprieve, Commutation or pardon with his reasons therefor stating the name and crime of the convict the sentence its date and the date of the Commutation pardon or reprieve.

Which was adopted.

Mr Smitta of Saline, offered the following amend by striking "but" their next meeting" in 3rd line and insert "the next meeting of the General Assembly"

Which was lost.

Mr Smith of Lafayette moved to strike out Section 20, which was lost.

Mr Fishback moved to strike out all after the word "Building" in the 3rd line sec 20.

Which was not adopted

Mr Flanagin moved to reconsider the motion to the motion to strike out the section made by Mr Smith of Lafayette.

Which was carried

Mr Flanagin then moved that section 20. be "stricken out" which was not agreed to.

Mr Thomason of Crawford offered the following amend=ment to section 20. "In cases of disagreement between the two houses of the General assembly at a regular or adjourned session, with respect to the time of adjournment, the Governor may if the facts be certified to him by the presiding officers of the two Houses adjourn them to a time not beyond the day of their next meeting.

Which was adopted

Mr Boswell moved to amend sec 21. "He shall also discharge the duties of superintendent of Public Instruction until otherwise provided by law.

which was adopted.

Mr Walker of Washington moved to adjourn until 4 o'clock P.M.
Upon which Mr Fishback called for the "ayes and noes", and the call sustained.

The secretary called the roll and the following named members voted in the affirmative.
Anderson of Lee, Baxter of Independence, Berry Bailey Blackwell, Brown, Cunningham, Custis, Carter Dunaway, Dowell, Harrison, Horner, Hughes, Jones, Sullivan, Patterson, Perkins Parrott, Rock, Rogers, Ross, Rector Rutherford Reinhardt Stanley, Smith of Salem, Sorrels, Thompson White Walker, & Mr President;

Those voting in the negative were,
Anderson of Craighead, Branch, Baxter of Pulaski Brown, Barnes Bates, Brown, Bryant of Baxter Bryant of White, Copeland, Crowley Carroll Cable, Eagle, Glisson Downs, Dunaway Eakin Eagle, Flanagin Frierson Fishback Garland Gulley Gordwin Horne, Hampton, Hawkins Hanna Howell, Hildyn Kelly Lupin Lucas, Lindsey Lake Mansfield Miller, Owen Pruitt, Pierce Pulliam Smoot Scott, Smith of Lafayette Thomason of Crawford, Thomason of Washington Williams of Jefferson Williams of Little River Williams of Sharp, Williams of Union, & Pitt.

In the affirmative	32,
In the negative	51,
Not voting,	8
	91

So the amendment refused to adjourn.

Mr Thomason of Crawford moved to strike out the word "nine" and insert "twelve" in 6th line sec. 22.

Which was adopted.

Mr Hampton moved to strike out all after words enacting clause in 6th line sec 23.

Which was agreed to.

Mr Smith of Salem offered the following as additional section after section 22.
"When any office shall from any cause become vacant, and no mode is provided by the Constitution and laws for filling such vacancy, the Governor shall have the power to fill the same by granting

a Commission which shall expire at the next election and qualification of the person elected to such office.

Which was adopted

Mr Thomason of Crawford moved to strike out all of sec 22 after the word "time" in 4th line.

Mr Reeder of Garland moved to adjourn until 4 O. clock

Upon which the ayes and noes were ordered

The roll was called by the secretary and the following named members voted in the affirmative:

Anderson of Lee Bunch. Bailey. Blackwell Copeland Carroll. Dodson. Eagle. Harrison Hughes. Irons. Lindsey Lake. Pierce. Parrott Rogers. Ross. Reeder Reinhardt Stanley Swords. White Wicker & Witt.

Those voting in the negative were.

Anderson of Craighead Blair of Independence.
Berry Blann. Barnes. Brown.
Batts Brown. Bynum of Pulaski Bynum of White
Cunningham. Crowley. Cluster. Cable.
Carter Cagle Chism Downs.
Demaray Eakin Flanagin. Frierson.
Fishback Gibson. Garland. Gulley.
Gordon. Stone. Hamilton. Strickland
Hanna. Harvell. Kilgore Kelley.
Leiper Lucas. Mansfield Mansfield.
Miller Nixon. O'Sullivan Patterson
Quarterly Perkins Pindall Polk
Rutherford Lincoln. Scott. Smith of Lafayette.
Smith of Calhoun Thomason of Crawford. Thomason of Washington
Williams of Jefferson. Williams of Little River. Williams of Sharp
Williams of Izard. Wills President.

For the affirmative 24.
For the negative 58.
Not voting. 9
91

So the Convention refused to adjourn.

The question then recurred upon the amendment offered by Mr Thomason of Crawford

The "ayes and noes" were called for and the call sustained

The secretary called the roll and the following

named members voted in the affirmative
Anderson of Lee. Berry. Bates Copeland
Downs. Eagle Gibson. Jones. Ousellivan
Perkins Polk Ross. Smith of Lafayette
Smith of Calvin. Thomason of Crawford. Thomason
of Washington. Williams of Jefferson. White
Wheeler and Mr President.

Those voting in the negative were
Anderson of Craighead Branch. Butler of Independence
Bailey. Bilbro. Barnes. Blackwell
Brown. Bowen. Cypert of Baxter. Cypert of C
White of Cunningham Crowley. Cuslee
Carroll. Cable. Carter. Eagle.
Chism. Dunaway. Dodson. Eakin
Flanagin. Freeman Fishback Garland
Gulley. Gordon Stone. Hampton.
Hudson. Hawkins. Hamm. Harrell.
Kilgore Kelley. Hicksworthy Leiper
Lucas. Lindsey Lake Mansfield
Murphy. Millwee Niven. Patterson
Pruitt. Pierce Pulliam. Rogers.
Rector Rutherford Reinhardt Lincoln
Stanley Scott. Wilkins of Little River
Wilkins of Izard. Williams of Union and Pitt

On the affirmative 20.
On the negative 60
Not voting 11
91.

So the amendment was not agreed to.

Mr Bunn of Ouachita moved to strike out all of Sec 23. after the words "State Treasurer" in 6th line

Mr Jones of Desha moved to adjourn until 4 o'clock P.M, which was not agreed to.

The question then recurred upon the adoption of the amendment offered by Mr Bunn.

Mr Scott of Pope called for the ayes and noes.

Which call was sustained and the "ayes and noes" were ordered.

Mr Rutherford moved to adjourn until 4 o'clock P M

which was carried.

After the Recess.

The convention met at 4 o'clock P.M.

A quorum of the convention present.

Mr Williams of Sharp asked a leave of absence for Mr Parrott of St. Francis for four days.

Which was granted.

Mr Turner of Phillips asked for and obtained leave of absence for Mr Hughes of Monroe until Tuesday next.

Mr Thompson of Woodruff also obtained leave of absence until next Tuesday.

The article on Executive Department were then taken up.

The question recurred upon the amendment of Mr Bunn of Pulaski, to strike out all of Sec. 23. after words "State Treasury" in 6th line.

Mr Dunaway called for the previous question upon which the "ayes and noes" were ordered.

The secretary called the roll and the following named members voted in the affirmative.

Bunch.	Bailey	Brown	Cunningham
Crowley	Carlton	Chism	Dunaway
Dowdle	Dodson	Eagle	Fishback
Gurley	Hughes	Hawkins	Hanna.
Johnson.	Joyner.	Kilgore	Kincannon
Leper	Lake.	Mosely.	Nixon
Pierce.	Pulliam	Reinhardt	Lincoln

Thomason of Washington Williams of Little River Walker. With and Mr President

Those voting in the negative were.

Anderson of Lee.	Banks of Independence		Berry
Bunn	Barnes	Blackwell.	Bates
Brown	Jeffrey of Baxter	Cypert of White.	Cooke.
Canod.	Cabler.	Cagle.	Dorris.
Eakin	Flanagin.	Frierson	Gibson
Garland.	Hooke.	Harrison	Horner.
Howell	Jones.	Kelly.	Lucas.
Lindsey	Mansfield.	Mahaffey.	Miller
Patterson	Pruitt.	Perkins	Poe
Rogers.	Ross.	Rutherford	Stanley.
Scott.	Smith of Calhoun.	Thomason of Crawford.	
Thomason of Washington	Williams of Jefferson		
Williams of Sharp.	Williams of Union.		

On the affirmative 33.
On the negative 45.
Not voting 13
91

So the previous question was not ordered

Mr Horner of Phillips moved to amend to strike all after the word "suspension" but withdrew the same before the question was put by consent of the convention

The question then recurred on the motion of Mr Blum of Ouachita to strike out.

The previous question was ordered.

The "ayes and noes" were called for.

The call was sustained.

The secretary called the roll and the following named members voted in the affirmative

Anderson of Lee. Butler of Independence Bailey
Bunn. Blackwell. Brown. Brown.
Cypert of White. Cunningham. Crowley Carlee
Doswell Eakin Flanagan Frierson
Garland. Hawkins. Johnson. Joyner
Kilgore Moody Miller Orrin Pountney.
Rogers Smoote. Smith of Calhoun, Williams
of Little River. Williams of Union.

Those voting in the negative were

Bunch. Bury. Barnes. Bales
Cypert of Baxter Copeland. Crosett. Carroll
Cable. Chism Davis. Dunaway
Dodson. Eagle. Fishback Gibson
Gurley. Horne. Harrison. Harris
Howell. Jones. Kelley. Kingsworthy
Leeper Lucas. Lindsey. Lake.
Mansfield. Murphy. Patterson. Pierce.
Perkins. Pittman. Polk. Ross
Reinhardt. Stanley. Scott. Smith of Lafayette
Sorrels. Thompson of Crawford. Thompson of Washington
Williams of Jefferson. Williams of Sharp. White, Walker.
Mr President.

In the affirmative 31
In the negative 49
Not voting 11
91

So the amendment was lost.

Mr Kilgore of Columbia sent to the Secretarys desk the following explanation of his vote.

I vote yea because I think that this matter should be left under the control of the people and the Legislature.

Mr Pittman of Sebastian, sent to the Secretarys desk the following explanation of his vote,

I vote- No, because I am in favor of restricting future legislatures in fixing the salaries of the officers of the State as well as in the assessment of taxes and in all other matters where the peoples money are to be appropriated my constituents demand it the people demand it and I give my vote to carry out their wishes.

Mr Lindsey of Searcy sent to the Secretarys desk the following explanation to his vote.

Mr President

I stand pledged to my constituents to favor a reduction of salaries therefore I vote against striking out in order that we may limit the salaries of officers, therefore I vote No.

Mr Piper of Dallas offered the following Amendment.

Strike out in 7th & 8th the words "never exceed" and add to the section which shall be the salaries of said officers until the year 1880.

Upon which the previous question was ordered

The "Ayes and Noes" were called for, and the call sustained

The Secretary called the Roll and the following named members voted in the affirmative -

Bailey. Brown. Bowen. Cypert of Baxter. Cunningham.
Crowley. Custer. Dodson. Eakin. Fellow. Leigh.
Rogers. Smoot. Stanley. Smith of Saline & Williams of Little River.)

Those voting in the negative were -

Anderson of Lee. Bunch. Butler of Independence. Berry.
Byrnes. Blackwell. Brown. Bates. Cypert of Izard.
Copeland. Custer. Carroll. Cable. Dixon. Downs.
Dunaway. Duvall. Eagle. Fillson. Fishback.
Gibson. Garland. Gilley. Howe. Harrison.
Hannon. Hughes Hawkins. Hanna. Howell.
Jones. Joyner. Kelley. Kingsworthy. Lucas.
Lindsey. Lake. Mansfield. Murphy. Miller
Nixon Pentney. Price. Perkins. Pullum.
Polk. Ross. Rutherford. Reinhardt Scott.
Smith of Lafayette. Sorels. Thomason of Crawford
Thornbrook of Washington. Williams of Jefferson. Williams of Shark) Williams of Union. White Walker. Watt & Mr President.

In the Affirmative	16
In the Negative	61
Not voting	14
	91

So the Amendment was lost -

Mr Fishback moved to fill the blank to the office of Governor with Three Thousand dollars.

Mr Flanagan moved to insert the word currency after the word dollars -

Mr Polk of Phillips moved to adjourn until to-morrow morning at 8 o'clock, which was not agreed to.

Mr Fishback withdrew his amendment by consent of the Convention.

Mr Thomason of Crawford moved to amend by inserting after the word "law" in second line, to be paid in the lawful money of the United States.

Mr Fishback of Sebastian moved to amend, to say "payable in such currency as are receivable for State Taxes"
But by Consent of the Convention withdrew the same before the question was put

Pending the discussion of the amendment offered by Mr Thomason of Crawford, the Convention adjourned.

Thomas W. Newton
Secretary.

Granderson D. Thompson
Pres't of the Convention
and Ex.

Saturday Morning
9 o'clock.
Aug 15th 1874.

The Convention met pursuant to adjournment.

The Roll was called and the following named members answered to their names.

Anderson of Lee, Anderson of Craighead. Branch, Brittin of Independence.
Berry. Bailey. Brown. Barnes. Blackwell. Brown.
Bates. Bowen Bryant of Baxter. Bryant of White.
Copeland. Cunningham. Crowley. Craig. Carroll.
Cabler. Carter. Cagle. Chrism. Downs. Dunaway
Dowell. Dodson. Eakin. Eagle. Flanagin Frierson
Fishback. Gibson. Garland. Gulley. Goodwin
House. Hampton. Harrison. Hawkins. Jones.
Joyner. Kelley. Kinsworthy. Leiper. Lucas.
Lindsey. Lake. Mosley. Mansfield. Murphy.
Miller Nixon Patterson. Pentony. Price
Perkins. Pilkinson. Polk. Ross. Rutherford
Reinhardt. Snook. Stanley. Scott Smith of
Lafayette.) Sorrels. Thomason of Crawford.
Thomason of Washington. Williams of Jefferson.

Williams, of Little River. Williams, of Shark. Williams, of Conway.
White. Walker. Wells & Mc President.

Those members failing to answer to their names were

Butler, of Pulaski. Hinson. Johnson. Kilgore. Lester.
O'Sullivan. Rogers. Smith, of Saline. Thompson.

Messrs Hanna, Howell & Becton were excused.

The President laid before the Convention the following communication from the Hon Sorrells.

Which on motion of Mr. Bunch, of Carroll, was laid on the table -

To the Honorable Grandison D Royston
President of the Constitutional Convention of the State of Arkansas

There has appeared to be a contest on my part for the seat of Hon G. R. Hampton from Bradley County. If I had have believed myself elected and had possessed the means of vindicating my opinion, there is but one case where I would assert this vindication over the formally certified official report of the proper authority and that is where there had been foisted upon my people a non-representative man through fraud corruption or intrigue, or the part of any competitor such is not now the case, as far as any act or deed of Col. Hampton is concerned I believe the election was without a taint of fraud, and although many of my friends from over Sangamon failed to vote, I believe the result of the election was legitimately certified, and in the election Col Hampton that my people conferred a justly merited compliment and deeply preserved their interests. I feel more gratified at coming within three vote of Col Hampton (whose family relations, uprightness of character, political integrity, and love of his people so promote him) than I would to have been unanimously elected over an unworthy adversary, and I now respectfully ask Mr President to formally and fully withdraw and disclaim any semblance of a contest for any Honorable Competitors seat in your Honorable body.

Respectfully
J. L. Sorrells.

The article on Executive department was then taken up as unfinished business.

Mr Thomason of Crawford by consent of the Convention withdrew his amendment making "the salaries payable in lawful money of the United States"

Mr Flanagin of Clark, then offered the following motion

To refer so much of the twenty third Sched: ule Ordinances _____

Section as follows the words Treasury in the eighth line

Upon which motion Mr Fishback of Sebastian called for the "Ayes and Noes"

The call was sustained -

The Secretary called the roll and the following named members voted in the affirmative.

Anderson of Lee. Anderson of Craighead. Bunch. Butler of Independence) Bailey. Bunn. Blackwell. Brown. Bowen. Cypert of J. Baxter. Cypert of White. Cunningham. Crowley. Craster. Carroll Cobler Carter! Eagle. Chism. Eakin. Eagle Flanagin. Frierson. Garland Gulley. Goodwin Hooke. Hampton. Horton Hawkins. Joyner Griffin. Kelley. Kingsworthy Leiper. Lucas. Mosley. Mansfield. Raven. Patterson. Pomeroy. Pierce. Rogers. Rutherford. Reinhardt - Smoote - Stanley. Smith of Saline. Sorels. Williams of Little River Williams of Union. Witt & Mr President.

Those voting in the negative were -

Berry. Barnes. Bates. Copeland. Downs. Dunaway. Dowell. Dodson. Fishback. Gibson. Harrison. Jones - Lindsey. Lake. Murphy. Miller. O'Sullivan Perkins Pulliam. Polk! Ross. Scott - Smith of Lafayette) Thomason of Crawford. Thomason of Washington Williams of Jefferson. Williams of Sharp. White & Walker.

In the affirmative	58
In the negative	29
Not voting	9
	91

So the motion to refer was carried

Mr Eakin of Hempstead moved to amend by inserting after the word "which" the 2nd line "after the 1st Session of the General Assembly"

Upon which the "Ayes and Noes" were called for -

The call was sustained

Mr Fishback of Sebastian moved to strike out Section 24.

Mr Smoote of Columbia, called for the previous question which was sustained.

Mr Thomason of Crawford. called for the "Ayes and Noes"

which call was sustained -

The Secretary called the Roll and the following -

Named members voted in the Affirmative - viz

Anderson, of Lee. Anderson, of Craighead. Bunch. Butler, of Independence
Barnes. Brown. Bynum, of Baxter. Copeland. Cunningham
Carroll. Cable. Carter. Eagle. Downs. Dunaway
Dowell. Dodson. Eakin. Fishback. Gibson. Horton
Jones. Kilgore Kincannon. Lucas. Lindsey Lake
Mosley. Mansfield. Murphy. Miller. O'Sullivan.
Prentiss. Perkins. Pulliam. Polk. Ross, Scott
Smith, of Lafayette. Sorrels. Thomason, of Crawford.
Thompson, of Washington. Williams, of Jefferson. Williams of
Sharp.) & Walker.

Those voting in the negative were—

Bailey. Bynum. Blackwell. Bynum, of White Conley.
Christo. Eagle. Flanagin. Frierson. Garland
Gulley Goodwin. House. Hampton. Harrison.
Hawkins. Johnson. Kelly. Leiper Niven
Patterson. Price. Rogers. Rutherford. Reinhardt
Smoot. Stanley. Smith, of Calhoun Williams, of Little River
Williams of Union. Mr President.

In the Affirmative 46.
In the Negative 32
Not voting 13
91

So the motion to strike out was adopted.

Mr Scott, of Pope sent to the Secretarys desk the following explanation of his vote -

Mr President

Believing that this section which prescribes a maximum limit to the salaries of Officers in the Executive department and which has just been referred on reconsideration to my vote to the Committee on Schedule and Ordinances which reference I deem tantamount to the killing of the Section and which thereby becomes a penality never to be resurrected and may "slep the sleep that knows no waking" therefore for the purpose of getting up a general provision for fixing a limit or maximum to the salaries of all Officers, when salaries are or should be prescribed by the proper Committee I shall withdraw the motion to strike out the Section but much preferred to have retained the Section as it was reported by the Committee of which I was a member and before which I advocated its adoption as reported. Having therefore no alternative to reach the matter in subject again I shall vote "aye"

On motion of Mr Smoot, of Columbia, the Article on Executive Department was ordered engrossed and made the special order for Monday at 9 o'clock a m for 3rd reading and final passage.

On motion of Mr Bunch of Carroll, the Convention then

passed to the consideration of the Article on Legislative Department

which was read as follows

Departments.

Section 1. The powers of the Government of the State of Arkansas shall be divided into three distinct Departments, each of them to be confided to a separate body of magistracy, to wit:
Those which are Legislative, to one; Those which are Executive, to another; and those which are Judicial, to another.

Section 2. No person or collection of persons, being of one of these departments, shall exercise any power belonging to either of the others, except in the instances hereinafter expressly directed or permitted.

Legislative

Section 1 The legislative power of this State shall be vested in a General Assembly, which shall consist of the Senate and House of Representatives.

Section. 2. The House of Representatives shall consist of members to be chosen every second year by the qualified Electors of the several counties.

Section 3. No person shall be a Senator or representative who, at the time of his election, is not a citizen of the United States nor any one who has not been for two years next preceding his election, an inhabitant of this state, and for one year next preceding this election an inhabitant of the county or district where he may be chosen. Senators shall be at least twenty four years of age, and representatives at least twenty one years of age.

Section 4. The senate shall consist of members to be chosen every four years by the qualified Electors of the several districts;

Section 5. The general assembly shall meet every two years, on the day at the seat of Government unless altered by law.

Section 6. The Governor shall issue writs of Elections to fill such vacancies as shall occur in either house of the general assembly

Section 7. No judge of the supreme, circuit or inferior Courts of law or equity, Secretary of State, attorney General, or the state auditor or treasurer Register or recorder, Clerk of any Court of record, Sheriff, Coroner, member of Congress, nor any other

person holding any lucrative office, under the United States or this state, (Militia officers) (Justices of the peace Postmasters and judges of the county court excepted) shall be eligible to a seat in either house of the general assembly

Section 8. No person who now is or shall be hereafter a collector or holder of public money nor any assistant or deputy of such holder or collector of public money shall be eligible to a seat in either house of the general assembly nor to any office of trust or profit until he shall have accounted for, and paid over all sums for which he may have been liable,

Section 9. No person hereafter convicted of embezzlement of public money, bribery forgery or other infamous crime shall be eligible to the general assembly or capable of holding any office of trust or profit in this state.

Section 10. Every person who shall have been convicted directly or indirectly of giving or offering any bribe to secure his election or appointment shall be disqualified from holding any office of trust or profit under this state. and any person who shall give or offer any bribe, to secure the election or appointment of any person shall on conviction thereof, be disqualified from being an elector or from holding office of trust or profit under this state.

Section 11. No senator or representative shall during the term for which he shall have been elected, be appointed to any civil office under this state.

Section 12. Each house shall appoint its own officers. and shall judge of the qualifications returns and elections of its own members. A majority of all the members elected, to each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day and compell the attendance of absent members in such manner and under such penalties as each house shall provide.

Section 13. Each house shall have power to determine the rules of its proceedings and punish its members or other persons for contempt or disorderly behavior in its presence, and force obedience to its process to protect its members against violence or offers of bribes or private solicitations, and with the concurrence of two thirds expel a member but not a second time for the same cause, a member expelled for corruption shall not thereafter be eligible to either house, and punishment for contempt-

or disorderly behavior shall not bar an indictment for the same offence. Each house shall keep a journal of its proceedings and from time to time publish the same, except such parts as require secrecy and the "yeas and nays" on any question shall at the desire of any five of them, be entered on the journals.

Section 14. The sessions of each house and of committees of the whole shall be open unless when the business is such as ought to be kept secret

Section 15. Whenever an officer civil or military shall be appointed by the joint or concurrent vote of both houses or by the separate vote of either house of the general assembly the vote shall be taken viva voce and entered on the journals.

Section 16. The members of the general assembly shall in all cases, except treason felony and breach or surety of the peace, be privileged from arrest during their attendance at the sessions of their respective houses and in going to and returning from the same, and for any speech or debate in either house they shall not be questioned in any other place.

Section 17. The members of the General Assembly shall receive such per diem pay and mileage for their services as shall be fixed by law. No member of either house shall during the term for which he is elected, receive any increase of pay for his services under any law passed during such term. The term of all members of the General Assembly shall begin on the first Monday of December after their election.

Section 18. The regular biennial sessions of the General Assembly shall not exceed sixty days in duration.

Legislation

Section 1. The style of the laws of the State of Arkansas shall be: "Be it enacted by the General Assembly of the State of Arkansas."

Section 2. The State of Arkansas shall never be made defendant in any of her courts.

Section 3. No law shall be passed except by bill and no bill shall be so altered or amended, on its passage through either house, as to change its original purpose.

Section 4. No bill except general appropriation

bills, shall be passed containing more than one subject, which shall be clearly stated by its title.

Section 15. Every bill shall be read at length, on three different days, in each House, unless the rules be suspended by two-thirds of the House, when the same may be read a second or third time on the same day; and no bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the persons voting for and against the same be entered on the journal, and a majority of the members elected to each house be recorded thereon as voting in its favor.

Section 16. No amendments to bills by one house shall be concurred in by the other except by a vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting for and against recorded upon the journals thereof, and reports of committees of conference shall be adopted in either house only by the vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting be recorded upon the journals.

Section 17. No law shall be revived, amended, or the provisions thereof extended or conferred, by reference to its title only; but so much thereof as is revised, amended, extended or conferred, shall be re-enacted and published at length.

Section 18. The General Assembly shall not pass any local or special law authorizing the creation, extension or impairing of liens regulating the affairs of counties, cities, townships, wards, boroughs or school districts; changing the names of persons or places; changing the venue in civil or criminal cases; authorizing the laying out, opening, altering or maintaining roads, streets or alleys; relating to ferries or bridges, or incorporating any ferry or bridge company, except for the erection of bridges crossing streams which form boundaries between this and any other State; vacating roads, town plots, streets or alleys; relating to cemeteries, graveyards or public grounds not of the State; authorizing the adoption or legitimation of children; locating or changing county seats; incorporating cities, towns or villages, or changing their charters; granting divorces; erecting new townships, changing township lines or school districts; changing the law of descent or succession; regulating the practice or jurisdiction of, or changing the rules of evidence in any judicial proceedings or inquiry before courts, Aldermen, Justices of the Peace, Sheriffs, Commissioners, Arbitrators, Masters in Chancery, or other tribunal, or providing or changing methods for the collection of debts, or the

enforcing of judgments, or prescribing the effect of judicial sales of real estate; regulating the fees, or extending the powers and duties of Aldermen, Justices of the Peace, Magistrates or Constables; fixing the rate of interest affecting the estates of minors or persons under disability, except after due notice to all parties in interest, to be recited in the special enactments; exempting property from taxation; regulating labor, trade, mining or manufacturing; creating Corporations, or amending, renewing or extending the charters thereof. Nor shall the General Assembly indirectly enact such special law by the partial repeal of a general law; but laws repealing any local or special acts may be passed. Nor shall any law be passed granting powers or privileges in any case where the granting of such powers and privileges shall have been provided for by general law, or where the courts have jurisdiction to grant the same or give the relief asked for, granting to any Corporation association or individual, any special or exclusive privilege, immunity or franchise whatever.

Section 9. In all cases where a general law can be made applicable, no special law shall be enacted, nor shall the operation of any general law be suspended by the legislature for the benefit of any particular individual, corporation or association, nor where the courts have jurisdiction to grant the powers or the privileges or the relief asked for.

Section 10. No local or special bill shall be passed unless notice of the intention to apply therefor shall have been published in the locality where the matter or the thing to be affected may be situated, which notice shall be at least thirty days prior to the introduction into the General Assembly of such bill, and in the manner to be provided by law. The evidence of such notice having been published, shall be exhibited in the General Assembly before such act shall be passed.

Section 11. No extra compensation shall be made to any officer, agent, employee or contractor, after the service shall have been rendered, or the contract entered into; nor shall any money be appropriated or paid on any claim, the subject matter of which shall not have been provided for by pre-existing laws, unless such compensation or claim be allowed by bill passed by two-thirds of the members elected to each branch of the General Assembly.

Section 12. Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

Section 13. That no money shall be drawn from the treasury except in pursuance of specific appropriation made by law, the purpose of which shall be distinctly stated in the bill, and the maximum amount which may be drawn shall be specified in dollars and cents, and no appropriation shall be for longer period than two years. On the passage of such bills, or in concurring in amendments thereto, the separate vote on any item or items therein, shall, on demand of any member be had by yeas and nays entered on the journal; and every such item failing to receive the vote of the required majority of the members elected to the house in which the bill is pending, shall be stricken therefrom, and each item receiving such majority shall be declared passed.

Section 14. The general appropriation bill shall embrace nothing but appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State; all other appropriations shall be made by separate bills, each embracing but one subject.

Section 15. No taxation shall be allowed, or appropriation of money made, except to raise means for the payment of debts now due, or for defraying the necessary expenses of government, to repel invasion or suppress insurrection, except by a majority of two-thirds of the General Assembly.

Section 16. No act of the General Assembly shall limit the amount to be recovered for injuries resulting in death, or for injuries to persons or property, and in case of death from such injuries, the right of action shall survive, and the General Assembly shall prescribe for whose benefits such action shall be prosecuted.

Section 17. No obligation or liability of any railroad or other corporation, held or owned by this State shall ever be exchanged, transferred, remitted postponed or in any way diminished by the General Assembly nor shall such liability or obligation be released except by payment thereof into the State treasury.

Section 18. When the General Assembly shall be convened in special session there shall be no legislation upon subjects other than those designated in the proclamation of the Governor calling such session.

Section 19. No new bill shall be introduced into either house during the last three days of the session without the unanimous consent of the house in which it originated.

Section 20. No law changing the location of the capital of the State shall be valid until the same shall have been submitted to the qualified electors of the State at a general election and ratified and approved by them.

Section 21. A member of the General Assembly who shall solicit, demand or receive or consent to receive, directly or indirectly, for himself or for another, from any company, corporation, or person, any money, office appointment, employment, testimonial, reward, thing of value or enjoyment, or of personal advantage or promise thereof, for his vote or official influence, or for withholding the same, or with expressed or implied that his vote or official action shall be in any way influenced thereby, or who shall solicit or demand any such money or other advantage, matter, or thing aforesaid, for another as the consideration of his vote or official influence, or for withholding the same, or shall give or withhold his vote or influence, in consideration of or the payment or promise of such money, advantage matter or thing, to another, shall be held guilty of bribery within the meaning of this Constitution, and shall incur the disabilities provided thereby for said offense, and such additional punishments as is or may be provided by law.

Section 22. Any person who shall directly or indirectly, offer give or promise any money or thing of value, testimonial, privilege or personal advantage to any executive or judicial officer, or member of the General Assembly, to influence him in the performance of any of his public or official duty, shall be guilty of bribery, and be punished in such manner as shall be provided by law.

Section 23. The offense of corrupt solicitation of members of the General Assembly or of public officers of the State, or of any municipal division thereof and every occupation or practice of solicitation of such members or officers, to influence their official action shall be defined by law and shall be punished by fine and imprisonment-

Section 24. Any person may be compelled to testify in any lawful investigation or judicial proceeding, against any person who may be charged with having committed the offense of bribery or corrupt solicitation, or practices of solicitation, and shall not be permitted to withhold his testimony upon the ground that it may criminate himself or subject him to public infamy, but such testimony

shall not afterward be used against him in any judicial proceeding, except for perjury in giving such testimony, and any person convicted of either of the offenses aforesaid, shall, as part of the punishment thereof, be disqualified from holding any office or position of honor, trust or profit in this state.

Section 26. A member of the General assembly who has a personal or private interest in any measure or bill, proposed or pending before the General assembly, shall disclose the fact to the house of which he is a member, and shall not vote thereon.

Section 26. No citizen of this state shall be disfranchised or deprived of any of the rights and privileges secured to any citizen thereof, unless the same is done by the law of the land, or the judgement of his peers, except as herein provided. There shall be neither slavery nor involuntary servitude, either by indenture apprenticeship or otherwise, in this state, except for the punishment of crime, whereof the party shall have been duly convicted

Mr Smith of Lafayette moved to strike out the words United States in line 2. section 3. and insert qualified electors.

which was lost.

Mr Smith of Lafayette moved to amend after word "chosen" in 4th line "unless absent on business of the United states or of this state.

which was lost.

Mr Fishback of Sebastian moved to fill blank in 5th section by saying 1st monday in December"

Mr Leiper moved to further amend by saying "first Tuesday after second monday in december.

which was accepted by Mr Fishback.

Mr Eakin moved to insert 2d Monday in November.

Mr Leiper of Dallas moved to amend further by saying first Tuesday after 2d Monday in November,

which was accepted by Mr Eakin.

The question being put, the amendment was adopted.

Mr Smith of Lafayette moved to strike out the word "Governor" in 1st line Sec. 6. and insert- "the presiding officer of the House where the vacancy occurs

which was lost.

Mr Flanagin of Clark moved to amend by adding after "Court" in fifth line. "Trustees and Notaries" and strike out "and" before "judges".

Mr Gibson of Arkansas moved further to strike out the words "judges of the County Court" in 6th line.

The question being put, the amendment to the amendment was adopted.

Mr Doswell of Jackson moved further to amend, strike out "School Trustees" and insert "officers of the public schools"

which was accepted by Mr Flanagin.

The question being put, the amendment was adopted.

Mr Barnes of Pulaski moved to strike out the word "after" in the 10th section.

Mr Stover of Phillips moved to strike out the ✓ whole of section 10.

The question being put. the motion to strike out was adopted.

Mr Thomason of Crawford moved to strike out word "appointed" in sect. 11. and insert the word "eligible"

Mr Eakin moved further to amend by Mr Flanagin "appointed or elected" which was accepted by Mr Thomason.

The question being put. the amendment was adopted

Mr Flanagin of Clark moved to add to section 11. "which has been created, or the emoulments of which has been increased during his term"

The question being put the amendment was lost.

Mr Walker moved to amend; add after word state in second line "or the United States, but with-drew the same by consent of the convention. Mr Leiper of Dallas. moved to amend add the words "or elect" in sect. 12. 1st line.

Which on being put was lost.

Mr Gulley of Izard moved to add the word "members" and strike out the words "of them" in 9th line sec. 13.

which was adopted.

Mr Hawkins of Ashley moved to strike out the words "of surety" in line two sec. 16.

which was not agreed to.

Mr Hampton of Bradley moved to insert in line 5. sec. 17. after word "the" "on the first monday in November"

Mr Hawkins of Ashley moved further to amend to say "the first monday in October,

which was accepted by Mr Hampton.

Mr Flanagin moved further to add. "the first of November after their election or until otherwise provided by law.

Mr Killgore moved further to amend to say "from the day of their election" the question recurred upon the amendment to the amend-ment.

Which was carried.

The question then recurred upon the agreement to the amendment as amended.

Mr Thomason of Crawford moved to further amend by adding "the first day of the next regular session after his election. But with-draw the same by consent of the convention.

The question was then taken upon the amend-ment as amended

Which was carried

Mr Gulley of Izard moved to amend 3d line sec. 19. by striking out word "is" and inserting the words "has been" before the words "before election"

which was carried.

Mr Ross of Clark moved to amend as follows add to section " provided that said sessions may be longer continued at the expense of the members thereof."

Mr Thomason of Crawford moved to amend as follows

Sec 18 "when the regular biennial session of the general assembly shall exceed sixty days in duration, the members thereof shall only receive half-pay during the remainder thereof.

which was not agreed to.

Mr Williams of Sharp moved to strike out sect. 18.

Mr Barnes of Pulaski moved to further amend by adding to section 18. "unless by a vote of two thirds of all the members elected to each house of the General Assembly"

Mr Thomason of Crawford rose to a point of order " that a motion to strike out a section could not be amended"

The president overruled the point of order.

From which ruling Mr Thomason of Crawford appealed

The question was then put.

Shall the ruling of the President be the ruling of the Convention

The question was taken and the ruling of the president was sustained.

The question then recured upon the amendment offered by Mr Barnes of Pulaski.

Upon which amendment the "ayes and noes" were ordered

The roll was called and the following named members voted in the affirmative

Anderson of Craighead Bunch. Bailey
Bates Custis Carroll Cabler Carter
Dorris Dunaway Flanagin Fishback
Gibson Garland Gordon Jones.

Lucas Lindsey Lake Mosley Mansfield Nixon
Osullivan Pruitney Pierce Perkins Pulliam
Polk Rogers Ross. Reinhardt Smoote Stanley
Scott. Smith of Calvin. Thomason of Crawford
Thomason of Washington Williams of Jefferson Williams
of Union. White Walker Witt & Mr President.

Those voting in the negative were.
Anderson of Lee Bullock of Independence Berry
Bunn. Blackwell. Brown Cypert of White.
Cunningham Crowley Cagle Chism. Boswell
Eakin Eagle. Gurley. Harrison Horner
Hawkins Kellgore Kelley Leeper Miller
Patterson Smith of Lafayette. Powell Thomason
of Washington. Williams of Little River Williams of
Chicot

In the affirmative	44
In the negative	28
Not voting	9
	91

So the amendment was adopted.

Mr Smoote of Columbia moved the following Amendment: "Provided that this section is not to be construed to apply to the first session of the general assembly under this constitution or before session in which impeachments are pending.

The Convention then took a recess until 4 o'clock P. M

After the recess.

The Convention met at 4 o'clock P. M.

A quorum of the convention present.

The article on Legislature department was taken up.

The question recurred upon the amendment offered by Mr Smoote of Columbia

Mr Barnes of Pulaski moved to strike out all that part relating to impeachments

The question being put the amendment to the amendment was lost

The question then recurred upon the amendment offered by Mr Smoote of Columbia

which on being put was adopted.

Mr Smoote was excused from further attendance to-day on account of illness.

Mr Copeland of Crittenden was granted a leave of absence for three days.

Mr Barnes moved to strike out section 2.

Mr Bunn moved further to amend by adding "No state shall ever be sued except as the General assembly may provide."

which was not agreed to.

The question then recurred upon the amendment offered by Mr Barnes of Pulaski.

The "ayes and noes" were ordered.

The roll was called and the following named members voted in the affirmative.

Anderson of Lee. Bunn Barnes. Bates.
Cabler Dorris Dunaway Easton Gibson
Harrison Jones. Murphy Nicholson
Pinkney. Perkins, Polk Smith of
Lafayette Smith of Pulaski Thomason of
Crawford & White.

Those voting in the negative were.

Anderson of Craighead Bunch Butler of
Independence. Bailey Brown Bowen
Cypert of White. Cummingham. Conley Cusler
Carroll Carter Cagle Chism
Doswell Dodson Flanagin Fishback
Garland. Dudley Gordon Horner-
Hawkins Hillgrove Kelley Kinsworthy
Leiper Lucas Lindsey Lake
Mosely. Mansfield Miller Niven
Patterson Pierce Pulliam Rogers
Ross Rutherford Reinhardt Stanley,
Sorrels Thomason of Washington Williams of
Little River Williams of Sharp Williams of Union
Walker. Witt. and Mr President.

So the motion to strike out was lost.

Mr Garland of Nevada moved to strike out word "which" line 2. Section 4, and insert the words "and it"

Mr Flanagin of Clark, moved to strike out the whole section

Which on being put was carried

Mr Flanagin, of Clark moved to amend by striking out the words "the members elected to" in Line 5, sec 5.

Mr Eakin of Hempstead moved further to amend by inserting "a majority of the members voting in", on line 5 sec 5.

Which on being put was not agreed to —

Mr Flanagin, of Clark moved to strike out sec. 6:

Which on being put was adopted.

Mr Mansfield of Franklin, Chairman of the Committee on Miscellaneous Provisions made the following reports.

Article

Miscellaneous Provisions.

Section 1. No person who denies the being of a God shall hold any office in the civil department of this State, nor be allowed his oath in any court

Section. 2. No person who may hereafter fight a duel, assist in the same as second or send accept or knowingly carry a challenge therefor, shall hold any office in this State, and may be otherwise punished as the law may prescribe

Section. 3. No person shall be elected to any office or appointed to fill a vacancy in any office who does not possess the qualifications of an elector.

Section 4. All civil officers for the State at-large shall reside within the State, and all district, county and township officers within their respective districts, counties, and townships and shall keep their offices at such places therein as are now or may hereafter be required by law.

Section 15. All officers shall continue in office after the expiration of their official terms until their successors are elected and qualified.

Section. 6. No person shall hold or exercise the powers of more than one office in the same department of the government at the same time except as expressly directed, or permitted by this Constitution.

Section 7. Absence on business of this State or of the United States, or on a visit on necessary private business shall not cause a forfeiture of a residence once obtained.

Section. 8. It shall be the duty of the General Assembly to regulate by law in what cases, and to what deductions from the salaries of public officers shall be made for neglect of duty in their official capacity.

Section. 9. The General Assembly shall have no power to create any office not expressly provided for by this Constitution.

Section. 10. Returns for all elections, for officers who are to be commissioned by the Governor and for members of the General Assembly shall be made by the Secretary of State.

Section 11. No money shall be drawn from the treasury unless the same be appropriated by law. Nor shall any sum exceeding one hundred dollars be appropriated unless a majority of all the members elected to the General Assembly shall vote for the same.

Section 12. An accurate and detailed statement of the receipts and expenditures of the public money, the several amounts paid, to whom and on what accounts, shall from time to time be published as may be prescribed by law.

Section 13. When no other rate of interest is agreed upon in writing between the parties to a contract for the payment of money, six per centum per annum shall be the rate upon all sums from the day the same becomes due; but such parties may agree in writing for the payment of interest on any sum before the same shall become due, and for the payment of any rate of interest not exceeding twelve per centum per annum.

Section 14. No lottery shall be authorized by this State, nor shall the sale of lottery tickets be allowed.

Section. 15. All stationery, printing, paper, and fuel used in the legislature and other departments of government shall be furnished, and the printing, binding, and distributing of the laws, journals, departments reports and all other printing and binding, and the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its Committees shall be performed under contract to be given to the lowest responsible bidder below such maximum price and under such regulations as shall be prescribed by law: No member or officer of any department of the government shall in any way be interested in such contracts; and all such contracts shall be subject to the approval of the Governor, Auditor and State Treasurer.

Section. 16. All contracts for erecting or repairing public buildings or bridges in any County or for materials therefor or for providing for the care and keeping of paupers, shall be given to the lowest responsible bidder, under such

regulations as may be provided by law.

Section. 17. The laws of this State civil and criminal shall be revised, digested arranged, published and promulgated at such times and in such manner as the General Assembly may direct.

Section. 18. The General Assembly, by suitable enactments shall require such appliances and means to be provided and used as may be necessary to secure as far as possible, the lives health and safety of persons employed in mining, and of persons travelling upon railroads, and by other public conveyances, and shall provide for enforcing such enactments by adequate pains and penalties

Section 19. The General Assembly shall provide by law for establishing and maintaining an asylum for insane persons.

Section. 20. Senators and Representatives and all judicial and Executive, State and county officers, and all other officers both civil and military, before entering on their respective offices shall take and subscribe the following oath or affirmation, I —— do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Arkansas, and that I will faithfully discharge the duties of the office of —— upon which I am now about to enter.

Section. 21. The Sureties upon the official bonds of all State officers shall be residents of and have sufficient real property within the State not exempt from sale under execution, attachment, or, other process of any court, to make good their bonds, and the sureties upon the official bonds of all county officers shall reside within the county where such officers reside and shall have sufficient real property therein not exempt from such sale to make good their bonds.

Section 22. Either branch of the General Assembly at a regular session thereof may propose amendments to this Constitution and if the same be agreed to by a majority of all the members elected to each house, such proposed amendments shall be entered on the journals with the yeas and nays, and published in at least one newspaper in each county, where a newspaper is published, for six months immediately preceding the next general election for Senators and representatives, at which time the same shall be submitted to the electors of the State, for approval or rejection, and if a majority of the electors voting at such election, adopt such amendments, the same shall become a part of the Constitution. But not more than —— amendments shall be proposed or submitted at the same time and when two or more amendments are submitted at the same time, they shall be so submitted as to enable the elector to vote on each amendment separately.

Mr Thomason, of Crawford. moved to strike out section 7, but withdrew the same by consent of the Convention.

Mr. Thomason of Crawford, moved to strike out the word "reserved" in Section 7 but withdrew the same before the question was put.

The Convention then at 5 o'clock and 30 minutes adjourned until Monday morning at 8 o'clock.

Thomas W. Newton
Secretary.

Grandison D Royston
President Con Convention
Ark

Monday Morning
8 o'clock
Aug 19th 1874.

The Convention met pursuant to adjournment.

The Roll was called and the following named members answered to their names

Anderson, of Lee. Anderson, of Craighead. Bunch. Butler of Independence
Berry. Bailey. Bevin. Barnes. Blackwell. Bates.
Bowen. Bryant, J. Baxter. Bryant, of White. Cunningham
Crowley Crister. Carroll. Cabler. Carter. Cagle. Chism.
Drown Dunaway. Dowell Dodson. Eakin. Eagle.
Flanagen. Fishback. Garland Gulley. Goodwin. Hampton
Harrison. Horner Hawkins Kilgore Kelley. Kinsworthy
Leiper Lucas. Lindsey Lake. Mosley. Mansfield
Murphy. Miller. Nixon. Patterson. Pennington Pearce.
Pilliam Polk. Rogers Ross. Rutherford Reinhardt.
Smoot. Stanley Scott Thomason, of Crawford.
Thomason, of Washington Williams, of Little River. Williams of
Jefferson. Williams, of Sharp Williams of Union.
Walker. Wit & Mr President.

Those members failing to answer to their names were
Butler, of Clark Brown. Brinson. Gibson. House.
Johnson. Jones Joyner. Lester. O'Sullivan. Perkins.
Parrott. Rector Smith of Lafayette. Smith, of Saline.
Thompson. & White.

Mr Sorrels, of Scott was excused on account of sickness

Prayer by the Chaplain.

A quorum of the Convention present.

Mess White, Perkins, O'Sullivan, Gibson and Butler appeared in their seats and answered to their names.

Mr Snoots, of Columbia, was excused from further attendance on account of illness.

The Convention then passed to the consideration of the unfinished business, being Section 8 of article on Legislative department.

Mr Scott of Pope, offered the following amendment.

I move to amend after the word counties in the second line by inserting, thus, Except as to defining the line between the counties of Pope and Johnson.

Mr Dunaway, of Faulkner moved further to amend by adding the County of Lafayette.

Which was accepted by Mr Scott; and on being put was adopted.

Mr Britten of Independence, offered the following as a substitute.

The General Assembly shall not pass any local or special law changing the venue in civil or criminal cases, changing the names of persons, or the adoption or the legitimatizing of children, granting divorces or vacating roads streets or alleys.

Which was adopted

Mr Scott moved to amend Sec 9 as follows

I move that these words be added after the word "for" in the fourth line of Section 9 thus, "Except as herein before provided". but withdrew the same by consent of the Convention.

Mr Garland of Nevada, moved to strike out the word "that" first occurring on Section 13

Which was agreed to

Mr Flanagin moved to strike out the word "elected" line 4 Section 13 and insert the word "of"

Mr Eakin, moved to strike out all after word "years" in 4th line Sec 13.

Mr Rector appeared in his seat and answered to his name

Mr Engle, of Sevier, chairman of Committee on Engrossment

made the following report.

Mr President

Your committee on engrossment have examined article on "Executive Department" and report the same not correctly engrossed.

On motion of Mr Thomason of Crawford, the article was recommitted to the Committee on Engrossment, with instructions to have the same properly engrossed.

The question then recurred upon the Amendment offered by Mr Eakin, of Hempstead.

The "ayes and noes" were called for and ordered

The Secretary called the Roll and the following named members voted in the Affirmative.

Butler of Independence.	Butler of Pulaski.	Burnett.	Barnes.	Blackwell
Carroll.	Cypert of White	Carter.	Caster.	Cravens
Crawford.	Crawley.	Dodson.	Downs.	Dunaway.
Eagle.	Eakin.	Flanagin	Goodwin.	Gulley.
Hawkins.	Hillgoe	Kelley	Lucas.	Mansfield
Moritz.	Mansfield	Miller.	O'Sullivan.	Perkins
Pumphrey	Perkins	Ross.	Rutherford.	Thomason of Crawford.
Williams of Little River.	Williams of Sharp & Williams of Union.)			

Those voting in the negative were

Anderson of Lee.	Anderson of Craighead.	Bunch	Berry.	Bailey.
Bates	Bowen.	Cunningham	Crowley.	Cobbs.
Dodson.	Eagle.	Fishback.	Gibson	Garland.
Harrison	Jones.	Kingsworthy	Leiper.	Lindsey.
Murphy.	Pierce.	Pilliam.	Polk.	Rogers.
Reinhardt.	Stanley.	Scott.	Smith of Calhoun	Williams of Jefferson.
White	Walker	Witt &	Mr President.	

In the Affirmative 56.
In the Negative 37
Not voting 16
91

So the Amendment was adopted.

Mr Smith of Lafayette, appeared in his seat and answered to his name.

Mr Cypert of White, moved to add after word Government line 3 Section 15. "to" sustain Common Schools"

Mr Barnes of Pulaski, moved further to amend by striking out all after word insurrection in line 3 Section 15.
Which was not agreed to -

Mr Eakin of Hempstead moved to strike out word "taxation" and insert "State tax", on line 1. sect. 15.

Mr Garland of Miranda moved to strike out word "or" in line 2. also word "or" in line 3. and insert word "and" in line 3.

which was agreed to.

Mr Smith of Lafayette moved to strike out word "non" in line 2.

Mr Rector of Garland moved further to amend by striking out the word "dose" also, which was accepted by Mr Smith. and the question being put.

was adopted.

Mr Lafon of Dallas moved to strike out the word "debts" in line two. sect. 18. and insert the words "the just debts of the state"

which was adopted by a rising vote.

Mr Ross of Clark moved to strike out section 18. which was adopted.

Mr Kilgore of Columbia moved to strike out the words "unanimous consent" in line 2. sect. 19. and insert "without a vote of two thirds of the House"

Mr Rector of Garland moved further to amend by striking out all after word "session" in line 2. section 19.

which was agreed to.

The question then recurred upon agreeing to the amendment as amended.

The question was taken and the amendment adopted.

Mr Burnes of Pulaski moved to strike out section 20.

which was adopted.

Mr Eakin of Hempstead moved to strike out section 21.

Mr Fishback called for the "ayes and noes"

which call was sustained.

The roll was called and the following named members voted in the affirmative.

Bullin of Independence Butler of Pulaski Berry Bunn
Barnes. Blackwood. Cypert of Boone Cypert
of White. Cable Carter. Cagle
Downs Dunaway. Dowell Eakin
Eagle. Garland Hawkins Jones.
Hildgrove Kelly. Moody. Mansfield
Murphy Niven Sullivan Ramsey
Perkins Polk Rutherford Rumbaugh
Smith of Saline Thomason of Crawford Williams of
Jefferson Williams of Little River. Williams of
Sharp. Williams of Izard, and Witt.

Those voting in the negative were.

Anderson of Craighead Bench. Bailey Bates
Brown. Crowley Cypert Carroll.
Chism Dodson Flanagin Pickback
Gibson Gulley Hampton Harrison
Horner Leiper Lucas. Lindsey
Lake. Miller Patterson Pierce
Pulliam Rogers. Ross. Rector.
Stanley Smith of Lafayette White Walker
and Mr President

In the affirmative 39.
In the negative 35
Not voting 17
91

So the motion to strike out was adopted.

Mr Mansfield of Franklin moved to strike out section 22.

Mr Barnes offered the following as a substitute

Substitute for section 22. The following.—
The General Assembly shall provide by law for the punishment of any person who shall directly or indirectly, offer, give or promise any money or thing of value, testimonial, privilege or personal advantage to any executive or judicial officer, or member of the General Assembly to influence his action in the performance or omit performance of his public or official duty.

Which was accepted by Mr Mansfield.

Mr Thomason moved further to amend by inserting the words "non performance"

Which was accepted by Mr Mansfield.

Mr Smith of Lafayette, moved further to amend by saying "his action" instead of "him"

Which was accepted by Mr Mansfield

Mr Smith of Saline offered as additional substitute the following -

Add "and shall provide by law for effectually punishing any such executive or Judicial officer or member of the General Assembly for receiving any such consideration directly or indirectly for any such purpose.

Which was accepted by Mr Mansfield also.

Mr Barnes, offered further to insert the words "or receive" after word "promise"

Which was not accepted.

The question then recurred upon the substitute amended by Mr Smith of Saline, and was accepted by Mr Mansfield.

The "ayes and noes" were called for and the call was sustained.

The roll was called and the following named members voted in the affirmative.

Anderson of Lee. Butler of Pulaski. Barnes. Blackwood
Conkert of Baylor. Cunningham. Carroll. Cabler
Curtis. Downs. Eaken. Garland. Harrison.
Hawkins. Jones. Killgore. Kelley. Leiper
Mosley. Mansfield. Murphy. O'Sullivan.
Perkins. Rogers Reinhardt. Stanley. Smith
of Saline) Thomason, of Crawford. & Williams of Little River

Those voting in the negative were -
Anderson, of Craighead. Branch. Butler of Independence
Berry Bailey Brown. Batts. Crowley.
Cagle. Chism. Dunaway. Doswell. Dodson
Edgle. Fishback Gibson Gulley. Goodwin.
Lucas. Lindsey. Lake. Miller. Nunn
Patterson. Pierce. Pulliam Polk Ross.
Rector. Rutherford. Smith of Lafayette. Thomason
of Washington) Williams of Sharp. Williams of
Union of White Walker of White & Mr President.

For the Affirmative 29
For the Negative 41
Not voting 21
91

So the Substitute was lost.

Mr Brunn of Ouachita moved to strike out the word "Bribery and insert "Felony" and strike out the word in such manner in the line.

Mr Rector of Garland offered further to amend by adding "punished accordingly."

Which was accepted by Mr Brunn

Mr Barnes of Pulaski, moved further to amend by adding after word promise "or any person who shall receive or consent to receive"

Which was also accepted by Mr Brunn.

Mr Smith of Saline moved to further amend as follows:

Insert after Assembly in 3rd line and any real executive or Judicial Officer or member of the General Assembly who shall receive or consent to receive any such consideration either directly or indirectly."

Substituted for the amendment offered by Mr Barnes of Pulaski.

Which was also accepted by Mr Brunn.

Mr Hawkins called for the previous question which call was sustained

The question then recurred upon the Amendment of Mr Brunn.

Mr Leiper of Dallas, called for "ayes and noes" which call was sustained.

The roll was called and the following named members voted in the affirmative

Anderson, of Lee. Anderson of Craighead. Berry. Bailey. Brunn. Barnes. Bates. Bowen. Cypert of Baxter. Chism. Conder. Carroll. Cabler. Carter. Gibson. Gulley. Dunaway. Goodwin. Dodson. Fishback Harrison. Hogan. Kipsworthy. Leiper. Lucas. Lindsey. Lake Murphy. Miller. Pierce. Perkins. Pulliam Polk. Rogers. Ross. Rector, Cuthbert. Reinhardt. Stanley Scott. Smith of Lafayette. Smith of Saline. Thomason, of Crawford. Williams of Little River. Williams of Sharp. Williams of Izard Walker Wells & Mr President.

Those voting in the negative were-
Butler, of Independence Blackwell. Cypert of White

Crowley. Eagle. Downs. Doswell. Eakin. Flanagin.
Gayland. Goodwin. Hawkins. Jones. Kellgore Kelley.
Morley. Mansfield. Patterson & Pomroy.

In the affirmative 54
In the negative 19
Not voting 21
91

So the amendment was adopted.

Mr Kellgore of Columbia moved to strike out Section 21 and called for the previous question

The call for the previous question was sustained and ordered.

Mr Fishback called for the "Ayes and noes"
The call was sustained.

The roll was called and the following named members voted in the affirmative.

Butler of Independence. Butler of Pulaski. Blackwell. Cypert of Izard. Cunningham. Crowley. Eagle Downs. Doswell. Eakin. Eagle Flanagin. Garland. Goodwin. Hawkins. Jones. Kellgore. Kelley Morley. Mansfield. Perkins. Polk Thomason of Crawford. & Williams of Little River.

Those voting in the negative were.

Anderson of Lee. Anderson of Conway. Branch. Berry. Bailey. Bizzell. Baker. Cypert of Baxter Carter Carroll. Cabler. Carley. Chilcoat. Dennaway Dodson. Fishback Gibson. Gentry. Harrison. Hannon. Kingsworthy. Lusher. Lucas. Lindsey. Lake Murphy. Miller. Patterson Pomroy Pierce Pulliam. Rogers. Ross. Proctor. Southerland Reinhardt. Stanley Scott Smith of Lafayette. Smith of Saline. Williams of Jefferson. Williams of Chicot Williams & Anderson Walker. Watts & Mr President.

In the affirmative	24
In the negative	46
Not voting	21
	91

So the motion to strike out was lost.

Mr Smith of Lafayette offered to amend by striking out the word "Such" and inserting the word "This action" and also inserting the words "non performance"

Which was adopted."

Mr Smith of Saline moved to strike out the word "accordingly" and insert "as provided by law" -
Which was not adopted

Mr Flanagin moved to amend as follows Strike out "accordingly" add by Confinement in the Penitentiary not less than one nor more than five years.

Mr Thomason, of Crawford, moved to further amend by inserting, and it shall be the duty of the circuit Judges to give this Section in charge to the Grand Jury.

Which was rejected.

Mr Flanagin of Clark, Chairman of the Committee on Judiciary by unanimous consent of the Convention introduced the following report.

Impeachment and Address.

The Governor and all State Officers, Judges of the Supreme and circuit Courts Chancellor, and Prosecuting Attorneys, shall be liable to impeachment for high crimes, misdemeanors and gross misconduct in office, but the judgement shall not go further than removal from office and disqualification to hold any office of honor, trust or profit under this State An impeachment whether successful or not shall be no bar to an indictment.

The House of Representatives shall have sole power of impeachment; All impeachments shall be tried by the Senate, when sitting for that purpose the Senators shall be upon oath or affirmation. No person shall be convicted without the concurrence of two thirds of the members thereof. The chief Justice shall preside, unless he is impeached, when the Senate shall select a presiding Officer. The Governor upon the joint address of two thirds of each house of the General Assembly for, good cause may remove the Treasurer, Secretary of State, Attorney General Judges of the Supreme and Circuit Courts, Chancellors and Prosecuting Attorneys

Which was laid on the table and 200 copies ordered printed.

Mr Eakin of Hempstead moved to strike out Section 23.

Which was adopted.

Mr Barnes moved to strike out Section 24

Which was adopted.

Mr Rector of Garland, moved to strike out Section 25. Which was adopted.

Mr Thomason of Crawford moved to strike out Section 26 which was adopted.

The Convention then took a recess until 4 oclock P. M.

After the Recess

The Convention met at 4 o'clock P.M.

A Quorum of the Convention present

Mr Thomason of Crawford by unanimous consent of the Convention introduced the following Petition.

Which was referred to the Committee on Finance.

To the President and Honorable Members of the Convention of the State of Arkansas

We the undersigned Petitioners and citizens of the State of Arkansas, would respectfully represent to your Honorable Convention that we are Citizens of the State of Arkansas and as such are deeply impressed with the grievous consequences now impending upon the people of the State effecting the pecuniary interests and liabilities from injudicious legislation and illegal action under the same whereby the State of Arkansas has been supposed to have incurred liabilities and involved our citizens in debt beyond a probability of payment, thereby virtually bankrupting the State, by the issuance of the bonds of the State for various purposes not legally authorized and your petitioners believe by the laws of the State to exist-

The Bonds of the State of Arkansas in aid of Rail Roads.
The Bonds of the State of Arkansas for the Construction of Levees.
The Bonds of the State of Arkansas in payment of the Holford State debt.
The two first named character of Bonds so incurred by the State of Arkansas by her authorities we believe have been improperly and illegally issued and without authority of law, and therefore not binding or obligatory upon the people of this State but the latter the Bonds issued by the act of the Legislature of this State for the payment of the Holford debt.
Your petitioners believe have been issued by the authorities of the State without any consideration ever having been received for same, other than the one hundred and twenty one thousand Dollars received by the State when certain Bonds Amounting to ($ 5'65,000) five hundred thousand dollars were hypothecated which your petitioners are informed and believe have been fully paid

and satisfied subsequently to the holders of said recently issued Bonds by the payment of the interest accruing thereon. Therefore, Your Petitioners pray Your honorable body now in Convention sitting to take such action in the premises as shall forever repudiate the payment of all Bonds issued by the State of Arkansas for said purposes

That you further by your action investigate the indebtedness of the Holford Bond debt of this State, and if upon such investigation it shall be found that the original debt of one hundred and twenty one thousand dollars and interest has not been paid by the subsequent payments of interest upon the bonds heretofore issued by the state by the acts of its legislature of 18. and purchased by holders of said bonds. That such amount if any, found due upon said orginal debt, be not paid that provisions be made for the same but not for one dollar more than is or shall be found due upon said original sum of One Hundred and twenty one Thousand Dollars and interest thereon. And your petitions ~~pi~~ duty bound will ever pray

Chas St Fulley
John B Ogden
John Williams
John L Clark
Miriam Burdie
H G Duckard
and 200 others.

Mr Williams offered the following as additional section to the article on Legislative Department. Sec. "The General assembly shall have no power to authorize or require the Registration of the qualified electors of this state"

Messrs Brown Joyner Parrot and Frierson appeared in their seats and answered to their names

The question recurring upon the additional section offered by Mr Williams

it was not agreed to.

Mr Flanagin offered the following additional section to Article on "legislative department"

"Proceedings to expel a member for a criminal offence whether successful or not shall not bar an indictment and punishment under the criminal laws for the same offence.

which was adopted.

Mr Smith of Lafayette moved to reconsider the vote had on sec. 18 under head of department

which was carried.

Mr Smith of Lafayette move to amend as follows "The regular biennial sessions of the General assembly after the first session held under this Constitution shall not exceed sixty days in duration, unless by a two thirds vote of all the members elected to the general assembly Provided that the senate may set as a court of impeachment after the adjournment of the general assembly

which was rejected

Mr Flanagin moved to adopt section 18,

which was agreed to.

Mr Flanagin of Clark moved to reconsider sect. 4. of legislative department.

which was agreed to

Mr Flanagin then offered the following amendment. "At the first session of the Senate, the senators shall divide themselves by lot into two classes. and the first class shall hold their offices for two years only. after which all shall be elected for four years

Mr Flanagin of Clark offered the foregoing as additional section to article on legislative department.

Mr Rector moved to strike out the words "by General law" after the word may, which was accepted by Mr Flanagin, but withdrew the same before the question was put.

On motion of Mr Killgore the article on Legislative department was ordered engrossed, and made the special order on Wednesday at 10 o'clock a. m.

Mr Perkins moved that the article on Education be taken up.

which was not agreed to.

The Convention then proceeded to consider the article on Judiciary

which reads as follows

Judicial.

Section 1.

The judicial powers of the State shall be vested in one Supreme Court, in Circuit Courts, in County and Probate Court and in Justices of the Peace. The General Assembly

may also exercise such jurisdiction as may be deemed necessary in Municipal Corporation Courts, and when deemed expedient may establish separate Courts of Chancery.

Section. 2. The Supreme Court shall be composed of three Judges, one of whom shall be styled Chief Justice; and two of whom shall constitute a quorum, and the concurrence of two Judges shall in every case, be necessary to a decision.

Section 3 When the population of the State shall amount to one million, the General Assembly may if deemed necessary, increase the Judges of the Supreme Court to five; and on such increase a majority of the Judges shall be necessary to make a quorum or a decision.

Section 4. The Supreme Court except in cases otherwise directed by this Constitution, shall have appellate jurisdiction only which shall be co-extensive with the State; under such restriction and regulation as may from time to time be prescribed by law. It shall have a general superintending control over all inferior and other Courts of law and equity and in aid of its appellate and supervisory jurisdiction, it shall have power to issue writs of error, and supersedeas certiorari and habeas corpus, prohibition, mandamus and quo warranto and other remedial writs; and to hear and determine the same, its Judges shall be conservators of the peace throughout the State and shall severally have power to issue any of the aforesaid writs.

Section 5. In the exercise of original jurisdiction the Supreme Court shall have power to issue writs of quo-warranto to the Circuit Judges, and Chancellors, when created, and to officers of Political Corporation, when the question involved is the legal existence of corporations.

Section. 6. A judge of the Supreme Court shall be at least thirty years of age, of good moral character and learned in the law, a citizen of the United States, and two years a resident of the State; and who has been a practicing lawyer eight years, or whose service upon the bench of any Court of record, when added to the time he may have practiced law, shall be equal to eight years. The Judges of the Supreme Court shall be elected by the qualified electors of the State, and shall hold their offices during the term of eight years from the date of their commission, but, at the first meeting of the Court after the first election under this Constitution, the Judges shall by lot divide themselves into three classes, one of which shall hold his office for four, one for six, and the other for eight years, after which each Judge shall be elected for a full term of eight years. A record shall be made in the Court of this classification.

Section. 7. The Supreme Court shall appoint its clerk and reporter who shall hold their offices for six years subject to removal for good cause.

Section. 8. The terms of the Supreme Court shall be held at the seat of Government at the times that now are or may be provided by law.

Section 9. In case all, or any of the Judges of the Supreme Court shall be disqualified for presiding in any cause or causes, the Court or the disqualified Judge shall certify same to the Governor who shall immediately Commission the requisite number of men learned in the law, to sit in the trial and determination of such causes.

Section 10. The Supreme Judges shall at stated times receive a compensation for their services to be ascertained by law, which shall not be altered the adjournment of the next General Assembly diminished during the time for which they are elected. They shall not be allowed any fees or perquisites of Office, nor hold any other Office of Trust or Profit under the State or United States.

Section 11. The Circuit Court shall have jurisdiction in all Civil and Criminal Cases, the exclusive jurisdiction of which may be vested in some other Court provided for by this Constitution.

Section. 12. The Circuit Courts shall hold their terms in each County, at such times and places as are, or may be provided by Law.

Section 13. The State shall be divided in convenient Circuits each Circuit to be made up of Contiguous Counties, for each of which Circuits a Judge shall be elected, who, during his continuance in office shall reside in and be a conservator of the peace within the Circuit for which he shall have been elected.

Section 14. The Circuit Court shall exercise a superintending control and appellate jurisdiction over County Probate, Court of Common Pleas and Corporation Courts, and Justices of the Peace; and shall have power to issue, hear and determine all the necessary writs to carry into effect their general and specific powers, a writ of which writs may be issued upon order of the Judge of the appropriate Court in vacation.

Section 15. Until the General Assembly shall deem it expedient to establish Courts of Chancery, the Circuit shall have jurisdiction in matters of equity, subject to the appeal of the Supreme Court in such manner as may be prescribed by law.

Section 16 A Judge of the Circuit Court shall be a citizen of the United States, at least twenty eight years of age

of good moral character, learned in law, & two years a resident of the State, and shall have practiced law six years, or whose service upon the bench of any court of record, when added to the time he may have practiced law shall be equal to six years.

Section 17. The judges of the Circuit Court shall be elected by the qualified electors of the several Circuits, and shall hold their office for the term of four years.

Section 18. The judges of the Circuit-courts, shall, at stated times receive a Compensation for their services to be ascertained by law which shall not be altered after the adjournment of the Session of the General Assembly, be diminished during the time for which they are elected. They shall not be allowed any fees or perquisites of office, nor hold any other office or profit under this State or the United States.

Section. 19. The clerks of the Circuit Courts, shall be elected by the qualified electors of the several counties for the term of two years, and shall be ex officio clerks of the County Courts and recorders.

Section. 20. No Circuit, or other judge, shall preside in the trial of any cause in the event of which he may be interested or where either of the parties shall be connected with him by consanguinity or affinity within such degree as may be prescribed by law, or in which he may have been of Counsel, or have presided in any inferior court.

Section 21. Whenever the office of judge of the Circuit Court of any County is vacant at the commencement of a term of such Court or the judge of said Court shall fail to attend the regular practicing attorneys in attendance on said Court may meet at 12 o'clock M. on the second day of the term and elect a judge to preside at such Court or until the regular Judge shall appear - or when the judge of said Court shall become sick or die or unable to continue to hold such court after its term shall have commenced or for any cause be disqualified from presiding at the trial of any cause then pending therein then the regular practicing attorney in attendance on said Court may in like manner, on notice from the judge or clerk of said court elect a judge to preside at such Court, or to try said causes, and the Attorney so elected shall have the same power and authority in said Court as the regular judge would have had if present and presiding; but this authority shall cease at the close of the term at which the appointment shall be made. The proceedings shall be entered at large upon the record. The Special judge shall be learned in law and a resident of the State.

Section. 22. The judges of the Circuit courts may temporarily exchange Circuits or hold Courts for each other

under such regulations as may be prescribed by law

Section. 23. Judges shall not charge juries with regard to matters of facts, but shall declare the law, and in jury trials shall reduce their charges or instructions to writing on the request of either party.

Section. 24. The qualified electors of each Circuit shall elect a prosecuting Attorney who shall hold his office for the term of two years and he shall be a citizen of the United States learned in the law, and a resident of the District for which he may be elected.

Section 25. The Judges of the Supreme Court or Chancery Court shall not during their continuance in office practice law or appear as counsel in any Court, State or Federal — within this State.

Section 26. The General Assembly shall have power to regulate by law the punishment of contempts not committed in the presence or hearing of the Courts or disobedience to process.

Section. 27. Until otherwise provided by the General Assembly the Judicial Courts shall be composed of the following Counties.

First — Phillips, Lee, St Francis, Prairie, Arkansas, Woodruff, White and Monroe.

Second — Mississippi, Crittenden, Cross, Poinsett, Craighead, Green, Clayton and Randolph.

Third — Jackson, Independence, Lawrence, Sharp, Fulton Izard and Stone.

Fourth — Baxter Marion, Boone, Searcy, Newton, Madison Carroll, Benton and Washington.

Fifth — Conway, Pope, Johnson, Franklin, Crawford, Sebastian & Sevier.

Sixth — Lonoke, Pulaski, Van Buren & Faulkner.

Seventh — Jefferson, Grant, Hot Spring, Garland, Perry, Saline & Yell.

Eighth — Scott, Montgomery, Polk, Howard, Sevier, Little River, Pike & Clark.

Ninth — Hempstead, Lafayette, Nevada, Columbia, Union, Ouachita & Calhoun.

Tenth — Chicot, Desha, Lincoln, Drew, Ashley, Bradley, Dorsey & Dallas,

Until otherwise provided by the General =

Assembly the Circuit Courts shall be begun and held in the several Counties as follows.

First Circuit.

White — First Monday in February and August.

Woodruff - Second Monday after first Monday in February and August.

Prairie - Fourth Monday after first Monday in February and August.

Arkansas - First Monday in March and September.

Monroe - Third Monday in March and September.

St Francis — Second Monday after the third Monday in March and September.

Lee - Fourth Monday after the third Monday in March and September

Phillips - Sixth Monday after the third Monday in March and September.

Second Circuit.

Mississippi - First Monday in March and September.

Crittenden - Second Monday in March and September.

Cross - Second Monday after the second Monday of March and September.

Poinsett - Third Monday after the Second Monday in March and September.

Craighead - Fourth Monday after the Second Monday of March and September.

Green - Sixth Monday after the second Monday of March and September.

Clayton - Seventh Monday after the second Monday of March and September.

Randolph - Ninth Monday after the second Monday of March and September.

Third Circuit

Jackson - First Monday of March and September.

Lawrence - Fourth Monday of March and September.

Sharp - Second Monday after the fourth Monday of March and September

Fulton - Fourth Monday after the fourth Monday of March and September.

Izard - Sixth Monday after the fourth Monday of March and September.

Stone - Eighth Monday after the fourth Monday of March and September.

Independence - Ninth Monday after the fourth Monday of March and September -

Fourth Circuit.

Baxter - First Monday in February and August.

Marion - Second Monday in February and August.

Boone - Third Monday in February and August.

Searcy - Second Monday after the third Monday in February and August.

Newton - Third Monday after the third Monday in February and August.

Carroll - Fourth Monday after the third Monday in February and August.

Madison - Fifth Monday after the third Monday in February and August.

Benton - Sixth Monday after the third Monday in February and August.

Washington - Eighth Monday after the third Monday in February and August.

Fifth Circuit.

Conway - First Monday in February and August.

Yell - Third Monday in February and August.

Johnson - Second Monday after the third Monday in February and August.

Sarber - Fourth Monday after the third Monday in February and August.

Franklin - Sixth Monday after the third Monday in February and August.

Crawford - Eighth Monday after the third Monday in February and August.

Greenwood District, Sebastian — Tenth Monday after the third Monday in February and August

Fort Smith District, Sebastian — Twelfth Monday after the third Monday in February and August.

Sixth Circuit —

In the County of Pulaski, on the first Monday in February, and continue twelve weeks, if the business of said Court requires it

In the County of Lonoke, on the first Monday succeeding the Pulaski Court and continues two weeks, if the business of said Court requires it.

In the County of Faulkner, on the first Monday after the Lonoke Court, and continues two weeks if the business of said Court requires it.

In the County of Van Buren on the first Monday after the Faulkner Court and continue two weeks if the business of said Court requires it.

Fall Term Sixth Circuit.

In the County of Pulaski, on the first Monday in October and Continue seven weeks if the business of said Court requires it.

In the County of Lonoke, on the first Monday next after the Pulaski Court, and continues two weeks if the business of said Court require it.

In the County of Van Buren, on the first Monday after the Faulkner Court, and continue one weeks if the business of said Court require it.

Seventh Circuit.

Yell - First Monday in March and September.

Perry - Third Monday in March and September.

Saline - Fourth Monday in March and September.

Garland - First Monday after the fourth Monday in March and September.

Hot Spring - Third Monday after the fourth Monday in March and September.

Grant - Fourth Monday after the fourth Monday in March and September.

Jefferson — Fifth Monday after the fourth Monday in March and September,

Eighth Circuit.

Montgomery - First Monday of February and August.

Scott — First Monday after the first Monday of February and August.

Polk — Second Monday after the first Monday of February and August.

Sevier — Third Monday after the first Monday of February and August.

Little River — Fifth Monday after the first Monday of February and August.

Howard — Seventh Monday after the first Monday of February and August.

Pike — Eighth Monday after the first Monday of February and August.

Clark — Ninth Monday after the first Monday of February and August.

Ninth Circuit.

Calhoun.— First Monday in March and September.

Union — Second Monday after the first Monday of March and September.

Columbia — Fourth Monday after the first Monday of March and September.

Lafayette — Fifth Monday after the first Monday of March and September.

Hempstead — Eighth Monday after the first Monday of March and September.

Nevada — Eleventh Monday after the first Monday of March and September.

Ouachita — Thirteenth Monday after the first Monday of March and September.

Tenth Circuit

Lincoln — First Monday in February and August.

Dorsey — Third Monday of February and August.

Dallas — First Monday of March and September.

Bradley — Second Monday of March and September.

Ashley — Third Monday of March and September.

Drew — Second Monday after the third Monday of March and September.

Desha — Fourth Monday after the third Monday of March and September.

Chicot — Fifth Monday after the third Monday of March and September.

Section 28. The Circuit Court shall have jurisdiction upon information presentment or indictment to remove any County or Township officer from office for incompetency Corruption, gross immorality, criminal conduct, malfeasance, misfeasance or nonfeasance in office

Section. 29. The County Courts shall have exclusive original jurisdiction in all matters relating to County Taxes, roads, bridges, ferries, Ferrymen, Bastardy, Vagrants; the disbursement of money for County purposes and in every other case that may be necessary to the internal improvements and local concerns of the respective Counties. The County court shall be held by one judge except in case otherwise herein provided.

Section 30. The judge of the County court shall be elected by the qualified electors of the County for the term of two years. He shall be at least twenty five years of age, a citizen of the United States, a man of upright character good business education, and a citizen of the State for two years before his election, and a resident of the County at the time of his election.

Section 31. The Justices of the Peace of each county shall sit with and assist the County Judge in levying the County taxes, and in making appropriations for the expenses of the County in the manner to be prescribed by law and the County Judge together with a majority of said Justices shall constitute a quorum for such purposes; and in absence of the County Judge a majority of the Justices of the Peace constitute the court, who shall elect one of their number to preside. The General Assembly shall regulate by law, the manner of compelling the attendance of such quorum.

Section 32. The terms of the County courts shall be held at the times that are now prescribed, for holding the Supervisors courts, or may hereafter be prescribed by law.

Section. 33. The General Assembly may authorize the judge of the County court of any one or more counties to hold severally a quarterly Court of Common Pleas in their respective Counties which shall be a court of record, with such jurisdiction in matters of contract and other civil matters not involving title to real Estate, as may be vested in such court.

Section. 34. Appeals from all judgments of County Courts or Court of Common Pleas, when established may be taken to the Circuit Court under such restriction and regulation as may be prescribed by law.

Section. 35. The judge of the County Court shall until otherwise provided by law be the judge of the Court of Probate and have such original jurisdiction in matters relative to the estates of deceased persons, executors, administrators and guardians, as is now vested in the Circuit Court or may be hereafter prescribed by law. He shall be his own clerk until otherwise provided by law in matters of probate, and as such Probate Judge hold regular terms of Court at the times that may be hereafter prescribed by law.

Section. 36. Appeals may be taken from judgments and orders of the Probate Court to the Circuit Court under such regulations and restrictions as are now or may be prescribed by law.

Section. 37. Whenever a judge of the County or Probate Court may be disqualified from presiding in any cause or causes pending in his court he shall certify the fact to the Governor of the State who shall thereupon commission a special judge to preside in such cause or causes during the time said disqualification may continue or until such cause or causes may be finally disposed of.

Section 38. The County Judge shall receive such compensation and fees for his services as presiding judge of the County court, judge of the Common Pleas (when established) and Probate judge clerk as may be provided by law. In the absence of the Circuit Judge from the County the County judge shall have power to issue orders for injunctions and other provisional writs in their Counties returnable to the Courts having jurisdiction, provided, that either party may have such order reviewed by any superior judge in vacation in such manner as shall be provided by law. The County judge shall have power in the absence of the Circuit judge from the County to issue, hear and determine writs of habeas-corpus under such regulations and restrictions as shall be provided by law.

Section. 39. The qualified electors of each township shall elect the Justices of the Peace for the term of two years who shall be commissioned by the Governor and their official oath shall be endorsed on the Commission

Section. 40. For every two hundred electors there shall be elected one Justice of the Peace, but every township however small shall have two Justices of the Peace

Section. 41 They shall severally have original jurisdiction exclusive of the Circuit court in the following matters
First— In all matters of contract, where the amount in controversy does not exceed the sum of one hundred dollars excluding the interest, and concurrent jurisdiction in matters of contract where the amount in controversy does not exceed the sum of two hundred dollars.
Second— Concurrent jurisdiction in suits for the recovery of personal property where the value of the property does not exceed the sum of two hundred dollars.
Third— Such jurisdiction in misdemeanors as is now or may be prescribed by law.
Fourth— To sit as examining courts and commit discharge or recognize offenders to the Court having jurisdiction for further trial; and to bind persons to keep the peace, or for good behavior.
Fifth— For the foregoing purposes they shall have power to issue all necessary process.
Sixth— They shall be Conservators of the peace within their respective Counties.

Section 42. A Justice of the Peace must be a qualified elector and a resident of the township for which he is elected.

Section 43. Appeals may be taken from the final judgments of Justices of the Peace to the Circuit Courts under such regulations as are now or may be provided by law.

Section 44. Corporation Courts for towns and cities may be invested with jurisdiction concurrent with Justices of the Peace in civil and criminal matters and the General Assembly may invest such of them as it may deem expedient with jurisdiction of any criminal offences not punishable by death or imprisonment in the Penitentiary, with or without indictment as may be provided by law, and until the General Assembly shall otherwise provide they shall have the jurisdiction now provided by law.

Section 45. Clerks of Chancery courts when created shall be appointed by the Chancellor. The present

Chancery Court of Pulaski County, shall continue in existence unless the General Assembly shall deem it expedient to abolish it.

Section. 46. The qualified electors of each County shall elect one Sheriff, one Coroner, one Treasurer, and one County Surveyor, for the term of two years, with such duties as are now or may be prescribed by law.

Section. 47. The qualified electors of each township shall elect a constable, who shall be furnished by the presiding judge of the County Court, with a certificate of election, on which his official oath shall be indorsed.

Section 48 All Officers provided for in this article, except Constables shall be commissioned by the Governor.

Section 49. All writs and other judicial process shall run in the name of the State of Arkansas, bear date and be signed by the clerks of the respective Courts from which they issue; Indictments shall conclude: "Against the peace and dignity of the State of Arkansas".

Section. 50. The qualified electors of the State shall elect an Attorney General, who shall hold his office for —— years and shall receive an annual salary and no fees from the State or parties concerned, for his official services.

Section. 51. Vacancies in all offices provided for in this article shall be filled in such manner as may be provided for by the General Assembly.

Section 52. All officers shall continue in office after the expiration of their terms until their successors are elected and qualified.

On motion of Mr Garland, the consideration of the first reading of the bill was dispensed with.

On motion of Mr Smith of Lafayette, the rules was further suspended and the article read a second time by title

Mr Flanagin moved to insert the word "such" before Corporation in line 3 Section 5; also word "the" after word "certify" in line 2 Section 9.

Which was agreed to.

Mr Flanagin the Chairman moved to strike out the word "may" and "be" in line 2. Section 11. but withdrew the same before the question was put.

Mr Reed of Garland, moved to strike out the words "twenty eight" and insert "twenty five" in line 2 Section 16. Which was lost.

Mr White of Phillips moved to strike out "Six years" and insert "four years" in Section 16.

Which was not agreed to -

Mr Scott of Pope moved to reconsider the vote had on Sec 6

Which was not agreed to -

Mr Thompson moved to insert the words "of trust" at end of line 4 Sec 18.

Which was agreed to -

Mr Dunaway of Faulkner moved to amend Section 19 by saying at end of section "Provided" that Counties having Fifteen thousand inhabitants shall have County clerks.

Mr White of Phillips moved to further amend by saying "elect County Clerks" instead of word "have." Which was accepted by Mr Dunaway

Pending the discussion of the amendment introduced by Mr Dunaway the Convention on motion of Mr Flanagin adjourned until to morrow Morning at 6 o'clock.

Granderson D. Royston
Merchant Chief Clerk

Thomas W. Newton
Secretary

Tuesday
8 o'clock a m
August 18th 1874.

The Convention met pursuant to adjournment,

The Roll was called and the following named members answered to their names.

Anderson of Lee. Anderson of Craighead. Branch.
Butler of Independence. Berry. Bailey.
Blackwell. Brown. Bates. Bowen
Cypert of Baxter Cunningham. Crowley
Cypert of Carroll. Calber. Carter. Cagle.
Dixon. Downs. Dunaway Dodson.
Eakin Flanagin. Frierson. Feshback.

Garland. Gulley. Hampton. Harrison Hawkins. Johnson.
Jones. Joyner. Kilgore Kelley. Leiper Lucas.
Lindsey. Lake. Mosley. Mansfield. Murphy. Miller.
Niven. Patterson. Pinkney. Pierce. Parrott. Pelham
Polk. Rogers. Ross. Rutherford Rennhardt Stanley
Scott. Sorrels. Thomason of Washington, Thompson.
Williams of Jefferson. Williams of Little River.
Williams of Sharp. Williams of Union. Walker Mott
& Mr President.

Those members absent at the call of the roll were -
Butler of Pulaski. Bacon. Barnes. Cypert of White
Dorsett. Eagle. Gibson. Goodwin. House
Hornor. Hughes. Kinsworthy. O'Sullivan
Perkins. Rector. Smith of Lafayette. Smith of Saline
Thomason of Crawford & White.

Mr Smoote of Columbia, was excused on account of illness.

- Prayer by the Chaplain.

The following named members appeared in their seats and answered to their names.
House Kinsworthy. Goodwin. White. Butler of Pulaski.
Hughes. Rector. Hornor. Gibson. Eagle. Barnes
Copeland. Cypert of White. Smith of Lafayette
Dorsett. Perkins & Kilgore.

Mr Walker chairman of the Committee to investigate the reports of the Senate Investigating Committee. asked that the report laid on the table on the 29th of Jan be taken up

The report was accordingly taken up.

The resolution offered by the Committee was read

Mr Rector moved to strike out the word dismissed and insert the word relieved, which was accepted by Mr Walker.

Mr Johnson of Calhoun called up his resolution introduced the same day touching the same subject matter and offered it as a substitute for the resolution of the committee
Mr Jones of Desha called for the Previous question. The call was sustained
The resolution was then read also the resolution offered as a substitute by Mr Johnson of Calhoun. which substitute was accepted by Mr Walker of Washington

The "ayes and noes" were called for. and the call was sustained.

The Secretary called the roll and the following named members voted in the affirmative.

Anderson of Lee. Anderson of Craighead Beech
Bailey Bunn. Blackwell Bonn.
Babb. Bowen. Cypert of Baylor Cypert
Minto Cunningham Conley Curtis.
Carroll. Cubler. Cartel Cagle.
Chism Dunaway. Dorwell. Dodson
Eakin. Eagle Flanagin. Frierson
Fishback Gibson Garland. Gulley
Gordon Stone. Stamer. Staggles
Hawkins. Johnson. Joyner. Killgore
Kelly. Kinsworthy Leiper Lucas.
Lindsey. Lake. Mosely. Mansfield
Mitchell Nixon Pattison. Pierce
Parrott. Pulliam Polk. Rogers.
Ross. Reeler. Rutherford Reinhardt.
Stanley Scott. Sorrells. Thompson
of Crawford. Thomason of Washington Thompson
Williams of Little River. Williams of Shuph Williams
of Union White Wheeler. Witt. & Mr President.

Those voting in the negative were
Butler of Pulaski Berry. Barnes Copeland
Downs Jones. McIlroy Donelson
Pumtney. Perkins. and Williams of Jefferson

In the affirmative 72.
In the negative 11
Not voting 8
91

So the resolution was adopted.

Mr Ross of Clark offered the following resolution "Resolved that upon the presentation to the auditor of the certified account by Senator Hanks, of the number of days actually occupied by his Clerk in said investigation that the auditor be authorized to issue his warrant for the same at a rate per month not exceeding that of the other Clerks of the Committee."

Mr Eagle moved to lay the resolution on the table until tomorrow.

Mr Kilgore called for the previous question on the adoption of the resolution,

which call was sustained.

The "ayes and noes" were called for. and the call was sustained.

The Secretary called the roll and the following named members voted in the affirmative,

Bunch. Bailey. Brown Bates,
Brown. Cypert of Baxter. Cypert of White. Cunningham
Crowley Easton. Carroll. Cabler
Carter. Eagle Chism Dunaway
Doswell. Eagle. Flanagin. Forrest
Fishback Gibson Garland. Gulley
Harrison Horner. Hughes Hawkins
Johnson. Joyner. Kilgore Kennerly
Lepper Lucas Lindsey Lake.
Mosely. Mansfield Millard. Nixon.
Patterson. Pumtney Pierce Parrott.
Pulliam. Rogers Rose. Reclor.
Rutherford Reinhardt. Stanly. Scott.
Smith of Lafayette. Sorrels. Thompson of Drew
Thomson of Washington Williams of Little River
Williams of Izard. Williams of Marion Walker
Witt and the President.

Those voting in the negative were

Anderson of Lee. Anderson of Craighead. Baxter of Independence
Baxter of Pulaski. Berry. Barnes Copeland Dixon. Dodson
Eakin. Jones. O'Sullivan. Polk. Smith of Lafayette
Williams of Jefferson. & White.

For the affirmative 61
For the negative 17
Not voting 13
91

So the resolution was adopted.

Mr Eagle Chairman of the Committee on Engrossment made the following report:

Mr President

Your Committee on Engrossment have with return Article on Executive Department and report the same correctly engrossed.

On motion of Mr Scott of Pope, the article on Executive department was then read the third time, and placed upon its passage.

The Roll was called and the following named members voted in the affirmative.

Anderson of Lee. Anderson of Craighead, Branch.
Baxter of Independence. Baxter of Pulaski
Berry. Bailey Brown. Barnes Blackwell
Brown Bates Bowen. Cypert of Baxter.
Cypert of White Copeland Cunningham Crowley
Easter. Carroll. Cabler. Carter. Eagle. Chism
Downs. Dunaway Doswell. Dodson. Eakin.
Eagle. Flanagin. Fishback. Garland. Gulley.
Gladden. Horner. Hampton. Harrison Horner.

Hughes. Hawkins. Johnson. Joyner. Killgore
Keller. Kinsworthy Leiper. Lucas Lindsey.
Lake Mozley. Mansfield. Murphy. Nellen
Niven. O'Sullivan. Patterson. Penkethey Pierce
Parrott. Pulliam. Polk. Rogers. Ross.
Reeles. Rutherford. Reinhardt. Stanley Scott
South. Lafayette. Smith of Saline. Sorrels
Thompson of Crawford. Thomason of Washington
Thompson. Williams of Jefferson Williams of
Little River) Williams of Sharp. Williams of P
Union) White. Walker. Mr. President.

Those voting in the negative were
Jones of Ouachita & Perkins of Pulaski.

For the Affirmative 88.
In the Negative 2
Not voting 6
91

So the Article on Executive Department was adopted

Mr Perkins of Pulaski, sent to the Secretary's desk the following explanation of his vote.

Mr President

I vote "nay" because I am opposed to giving the Governor any advantage over a voter.

The Article on Executive Department as adopted reads as follows

Executive Department

Section 1. The Executive Department of this State shall consist of a Governor, Secretary of State, Treasurer of State, Auditor of State and Attorney General; all of whom shall reside and keep their offices in person at the Seat of Government, and hold their offices for the term of two years, and until their successors are elected and qualified, and the General Assembly may provide by law for the establishment of the Office of Commissioner of State Lands.

Section 2. The Supreme Executive power of this State shall be vested in a Chief Magistrate who shall be styled "The Governor of the State of Arkansas"

Section 3. The Governor, Secretary of State, Treasurer of State, Auditor of State and Attorney General shall be elected by the qualified electors of the State at large at the time and places of voting for members of the General Assembly. The returns of each election Sheriff or shall be sealed up separately and

transmitted to the Seat of Government by the returning Officers and directed to the Speaker of the House of Representatives, who shall during the first week of the Session open and publish the votes cast and given for each of the respective Officers hereinbefore mentioned in the presence of both Houses of the General Assembly. The person having the highest number of votes for each of the respective Offices for which he was a Candidate shall be declared duly elected thereto; but if two or more shall be equal and highest in votes for the same Office one of them shall be chosen by the joint vote of both Houses of the General Assembly and a majority of all the members shall be necessary to a choice.

Section. 4. Contested Elections for Governor, Secretary of State, Treasurer of State, Auditor of State and Attorney General shall be determined by the members of both Houses of the General Assembly in Joint Session who shall have exclusive jurisdiction in trying and determining the same, except as herein after provided in the case of special Elections, and all such contests shall be tried and determined at the first session of the General Assembly after the election in which the same shall have arisen.

Section. 5. No person shall be eligible to the Office of Governor except a citizen of the United States who shall have attained the age of thirty years, and shall have been seven years an inhabitant of this State

Section. 6. The Governor shall be Commander in Chief of the Military and Naval forces of this State, except when they shall be called into the actual service of the United States.

Section. 7. He may require information in writing from the Officers of the Executive department upon any subject relating to the duties of their respective Offices, and shall see that the laws are faithfully executed.

Section. 8. He shall give to the General Assembly from time to time and at the close of his official term to the next General Assembly information by message concerning the condition and Government of the State, and recommend for their consideration such measures as he may deem expedient.

Section. 9. A Seal of the State shall be kept by the Governor used by him officially and called the "Great Seal of the State of Arkansas"

Section. 10. All grants and commissions shall be issued in the name and by the authority of the

State of Arkansas sealed with the Great Seal of the State, signed by the Governor, and attested by the Secretary of State.

Section 11. No member of Congress or other person holding office under the authority of this State or of the United States shall exercise the office of Governor except as herein provided.

Section. 12. In case of death, conviction or impeachment failure to qualify, resignation or other disability of the Governor, the powers, duties and emoluments of the office for the remainder of the term or until the disability be removed or a Governor elected and qualified, shall devolve upon and accrue to the President of the Senate.

Section. 13. If during the vacancy of the office of the Governor the President of the Senate shall be impeached removed from office, refuse to qualify resign, die or be absent from the State, the Speaker of the House of Representatives shall in like manner administer the Government.

Section. 14. Whenever the office of Governor shall have become vacant by death resignation removal from office or otherwise, provided, such vacancy shall not happen within the twelve months next before the expiration of the term of office for which the late Governor shall have been elected. The President of the Senate or Speaker of the House of Representatives as the case may be exercising the powers of Governor for the time being, shall immediately cause an election to be held to fill such vacancy giving by proclamation sixty days previous notice thereof, which election shall be governed by the same rules prescribed for General elections of Governor as far as applicable; the returns shall be made to the Secretary of State and acting Governor and Secretary of State and Attorney = General, shall constitute a Board of Canvassers a majority of whom shall compare said returns and declare who is elected; and if there be a contested election it shall be decided as may be provided by law.

Section 15. Every bill which shall have passed both Houses of the General Assembly shall be presented to the Governor, if he approve it, he shall sign it, but if he shall not approve it he shall return it with his objections to the House in which it originated, which house shall enter the objections at large upon their Journal and proceed to reconsider it; if after such reconsideration

a majority of the members elected to that House shall agree to pass the bill it shall be sent with the objections to the other House by which likewise it shall be reconsidered, and if approved by a majority of the whole number elected to that House, it shall become a law; but in such cases the votes of both houses shall be determined by "yeas and nays" and the names of the members voting for or against the bill shall be entered on the Journals. If any bill shall be returned by the Governor within five days Sundays excepted after it shall have been presented to him the same shall be a law in like manner as if he had signed it unless the General Assembly by their adjournment prevent its return in which case it shall become a law unless he shall file the same with his objections in the Office of Secretary of State and give notice thereof by Public Proclamation within twenty days after such adjournment.

Section 16. Every order or resolution in which the concurrence of both Houses of the general assembly may be necessary, except on questions of adjournment shall be presented to the Governor, and before it shall take effect, be approved by him; or, being disapproved, shall be repassed by both houses according to the rules and limitations prescribed in the case of a bill.

Section 17. The Governor shall have power to disapprove of any item, or items, of any bill making appropriations of money embracing distinct items, and the part or parts of the bill approved, shall be the law, and the item or items of appropriations disapproved, shall be void unless repassed according to the rules and limitations prescribed for the passage of other bills over the Executive veto.

Section 18. In all criminal and penal cases except in those of treason and impeachment, the Governor shall have the power to grant reprieves, commutations of sentence, and pardons after conviction, and remit fine and forfeitures under such rules and regulations as shall be prescribed by law. In cases of treason, he shall have power by and with the advice and consent of the senate, to grant reprieves and pardons, and he may, in the recess of the Senate, respite the sentence until the adjournment of the next regular session of the general assembly. He shall communicate to the General Assembly at every regular session each case of reprieve, commutation or pardon with his reasons therefor, stating the name and crime of the convict, the sentence its date and the date of the commutation pardon or reprieve.

Sec. 19. The Governor may, by proclamation, on extraordinary occasions, convene the General assembly

at the seat of Government, or at a different place if that shall have become, since their last adjournment dangerous from an enemy or contagious disease; and he shall specify in his proclamation the purpose for which they are convened; and no other business than that set forth therein, shall be transacted until the same shall have been disposed of; after which they may by a vote of two thirds of all the members elected to both Houses of the general assembly extend their sessions not exceeding fifteen days.

Section 20. In cases of disagreement between the two houses of the General assembly, at a regular or adjourned session, with the respect to the time of adjournment the Governor may if the facts be certified to him by the presiding officers of both houses adjourn them to a time not beyond the day of their next meeting; and if on account of danger from an enemy or disease, to such other place of safety as he may think proper.

Section 21. The Secretary of State shall keep a fair and accurate record of all the official acts and proceedings of the Governor, and when required, lay the same with all papers minutes and vouchers relating thereto, before either Branch of the General Assembly and shall perform such other duties as now are, or may hereafter be enjoined upon him by law. He shall also discharge the duties of Superintendent of Public Instruction until otherwise provided by law.

Section 22. The Treasurer of State, Auditor of State and attorney General shall perform such duties as may be prescribed by law.; they shall not hold any other office or commission, Civil or military in this State, or under any State, or the United States; or any other power at one and the same time; and in case of vacancy occurring in any of said offices; or that of secretary of State, by death resignation or otherwise, the Governor shall fill said office by appointment for the unexpired term.

Section 23 When any officer from any cause becomes vacant and no mode is provided by the Constitution and laws for filling such vacancy the Governor shall have the power to fill the same by granting a commission which shall expire at the next election, and qualification of the person elected to such office.

On motion of Mr Leiper of Dallas the article on Judiciary was taken up.

The question was upon the amendment of Mr Dunaway of Faulkner.

Mr Leiper offered the following as an amendment to the amendment. "Insert after "records" in 3d line except in counties having 10000 inhabitants or over in which counties one Circuit and one County Clerk shall be elected and such County Court Clerk and Recorder shall be ex officio Probate Clerks.

which was accepted by Mr Dunaway,

Mr Thompson of Woodruff, then offered to amend as follows" Section 19. The Clerks of the Circuit Courts shall be elected by the qualified electors of the several counties for the term of two years, and shall be ex officio Clerks of the County and Probate Courts, and recorders provided, that in any County having a population exceeding fifteen thousand inhabitants as shown by the last federal census there shall be elected a County Clerk in like manner as Clerks of the Circuit Courts, and who shall be ex officio Clerk of the Probate Court of said County.

Mr Lycurgus of Baxter moved the previous question which call was sustained.
But the convention refused to order the previous question.

Mr Leiper of Dallas accepted the amendment offered by Mr Thompson of Woodruff.

Mr Flanagin moved to strike out that part relating to Probate Clerks.

which was not agreed to.

The question then recurred upon the amendment offered by Mr Thompson of Woodruff.

which was adopted.

The question then recurred upon adopting the amendment to the section.

which was agreed to.

Mr Flanagin of Clark moved to strike out the words "or otherwise" in line one section 20. and insert

word "justice" after word "judge"

which was agreed to.

Mr Bailey of Bourne moved to strike out the word "second" in line 4. section 20. and insert the word "first"

which was lost.

Mr Butler of Independence moved to strike out the words "expenditure" and insert the word "election" in line 12. section 21.

which was agreed to.

Mr Thomason of Crawford moved to strike out the words "twelve o clock M" and insert "ten o clock in the forenoon" in line 3 section 21.

Which was agreed to-

Mr Eggert of Butler moved as follows-

Special Judges so elected shall be paid by the Judge of said Circuit

Mr Thomason moved further to amend by saying "in case of absence of the regular Judge the salaries of special Judges shall be paid out of the State Treasurer and deducted from the salary of the regular Judges, but was withdrawn by the consent of the Convention.

Mr Williams of Jefferson moved to recommit Sec 27 to the Committee on Judiciary.

Which was carried.

The Convention then took a recess until 4 o'clock P.M.

After the Recess.

The Convention met at 4 o'clock P.M.

A quorum of the Convention present.

The Article on the Judiciary was taken up.

Mr Eagle of Lenoke moved to strike out the words "until otherwise provided by law in Sec 35 line 1.

Mr Eakin of Hempstead offered the following as an amendment to the amendment offered by Mr Eagle of Lenoke "Insert in the beginning "until the general

Assembly may deem it expedient to establish separate courts of Chancery and invest them with Probate jurisdiction" and then out in the first line "until otherwise provided by law.

which was not agreed to.

The question then recurred upon the amendment offered by Mr Eagle of Lonoke.

which was adopted.

Mr Cypert of Baxter moved to amend by striking out all after the word "law" in 4th line. to the word "as" in 5th line. Section 36.

Mr Leiper moved further to amend by striking out all after word "Law" in line 4.

which was accepted by Mr Cypert.

Mr Mansfield moved to insert after the word law the following "the regular terms of the Court of Probate shall be held at the times that may hereafter be provided by law

which was also accepted by Mr Cypert and was adopted.

Mr Thompson of Woodruff moved to strike out the word "and" in line 2. Section 36. after word "Probate" and insert "which shall",

which was adopted.

Mr Scott of Pope offered to amend as follows.
Mr President,
"I move to amend in the 2d line of Sec. 38. after the word "Courts" by adding "and Probate"

Mr Mansfield of Franklin moved further to amend as follows.

Sec 38. Amend by inserting after the word "County" Court in the 2d line, the words " as judge of the court. of Probate" and also striking out the words. "as Probate Judge Clerk" in the 3d line

which was accepted by Mr [illegible] and adopted.

Mr Harmon of Phillips moved to strike out the words "and fees" after the word [illegible]

on line 1. section 38.

which was adopted.

Mr Thompson of Woodruff moved to strike out the word "shall" and insert "may" in line 1. section 40.

which was adopted.

Mr Thompson of Washington moved to amend by striking out in line 4. the word "one." after word "of" and insert word "two" but withdrew the same by consent of the convention

Mr Thompson of Crawford moved to strike out the word "two" and insert "five" in line 6. sec. 41.

The "ayes" and "noes" were called for. and the call sustained

The previous question was ordered

The secretary called the roll and the following named members voted in the affirmative

Anderson of Craighead Bunch. Bailey Bradley Austin. Carroll Carter. Chism Dunaway Dotson. Gulley. Jones. Kelly Kinsworthy Lisenbee Lake Pittman Pierce. Rogers Rutherford Reinhardt Stanley. Scott Smith of Lafayette Sorrels Thompson of Crawford Thompson of Washington Williams of Union T. Walker

Those voting in the negative were.

Anderson of Lee Bullock of Independence. Butler of Pulaski. Bury. Byrum. Bates Brown Blackwell Byrd of White Copeland Cypert of Baxter Cooley. Cagle. Dennis. Cunningham Flanagin Freeman Fishback Eakin. Garland Gardenier Morse Gibson Hamer. Hawkins Howell Harrison Kildare Lucas. Lindsey Johnson Mudgett Murphy Miller Mosely Padgett Pindall Polk Pointer Parrott Smith of Saline. Thompson Ross. Rector. Williams of Jefferson. Williams of Little River Williams of Sharp White & Mr President.

For the affirmation 31
For the negation 51,
Not voting 9
91

So the amendment was lost.

The Convention Was adjourned until to morrow morning at 8. o clock

Thomas W. Newton
Secretary

Grandison D Royston
President Con Convention
ent Ky

Wednesday 8. o'clock A. M.
August 19th 1874.

The Convention met pursuant to adjournment

The roll was called and the following named members answered to their names.

Anderson of Lee. Anderson of Craighead Bunch
Butler of Pulaski. Bailey Bunn. Blackwell
Brown. Brown. Cypert of Boyle Cypert
of White. Cunningham Conley. Cantu.
Carroll. Carter. Cagle. Chism
Downs Dunaway. Dodson. Eakin
Eagle Flanagan Grayson Fishback
Garland Gentry. Goodwin. Struse
Hamplin. Harrison Horner. Hawkins
Howell Johnson. Ivins. Joyner
Killgore Leiper Lucas. Lindsey
Lake. Moseley, Mansfield Humphrey
Miller Owen. Patterson. Spurlock
Pierce Perkins Parrott. Pulliam
Rogers. Ross. Rutherford Reinhardt
Smoot Stanley, Scott. Smith C
Talbot. Sowell Shannon of Crawford
Thomason of Washington Thompson. Williams of
Little Rock. Williams of Clark. Williams
of Union. Wicker. Wit. Mr President.

The following named members failed to answer to their names at the call of the roll.

Butler of Independence Berry. Burnes.
Bates of Copeland Cable. Boswell
Gibson Hughes Kelly. Knisworthy
Lester Quillian Polk Rector
Smith of Lafayette Williams of Jefferson and
Scott.

Mr Perkins was excused.

A prayer of the Convention.

Prayer by the Chaplain.

The journal of the preceding day was then read and approved.

Mrs Hughes, Bunn, Polk, Copeland, Barnes, Butler of Independence, Bates, Kinsworthy, Cable, and Williams of Jefferson, appeared in their seats and answered to their names.

Mr White of Phillips was excused.

The article on judiciary was then taken up.

Mr Gibson of Arkansas moved to lie on the table.

Mr Flanagin of Clark moved to strike out the words "exclusive of the Court" in line 1. sec. 41 also add the words after the word "first" in line 2. exclusive of the circuit Court.

Mr Flanagin offered to amend still further by adding to end of section 41 the following "a justice of the peace shall not have jurisdiction where a lein on land or title thereto is involved.

Mr Walker of Washington moved to amend further by adding the word "laborers" after the word "mechanics." By consent that part relating to mechanics and laborers was withdrawn.

Mr Storer of Phillips moved to amend by adding words "possession thereof" in Mr Flanagins amendment

which was agreed to.

The amendment was then adopted.

Mr Eagle of Lonoke moved to amend by striking out the word "two" in line 6. section 41, and insert "four."

Mr Rose of Clark moved to further amend by inserting "three"

The previous question was then called for and ordered.

The amendment of Mr Rose of Clark was withdrawn.

The "ayes and noes" were ordered.

The secretary called the roll and the following

named members voted in the affirmative.

Anderson of Craighead. Bunch. Bailey.
Bates. Crowley. Carroll
Carlin. Church Dismuke.
Dodson. Eagle. Dossett.
Jones. Joyner. Hughes.
Lake. Patterson. Kilgore
Rutherford Reinhardt Rogers
Sorrells. Thompson of Crawford. Scott.
of Washington Williams of Miami. Thomason
Witt. Wilkerson

Those voting in the negative were.

Anderson of Lee. Bullen of Independence
Bullen of Pulaski. Bunn. Barnes. Blackwell
Bynum. Bowen. Cypert of Baxter. Cypert of
White. Copeland. Cunningham. Cohen.
Cayle. Downs. Eakin. Flanagin
Grisson. Fishback Gibson Garland
Gridwin. Hinse. Hampton.
Harmon. Hawkins. Harrell. Johnson
Hillgrove Kelley. Lucas. Lindsey
Mobley. Makemie Murphy Miller
Niven. Pruitt Parnell. Pullium
Rose. Reed. Smith of Salin. Thompson
Williams of Jefferson. Williams of Little River.
Williams of Sharp. and Mr President

In the affirmative	34,
In the negative	49,
Not voting	8
	91,

So the amendment was not agreed to.

Mr Stanley of Mason sent to the secretarys desk the following

Mr President I vote yea for the following reason It gives the people the right to choose whom they will command shall, it will work a hardship on the merchant and the laborer by compelling them to pay a commission and build up Courthouse rings by forcing them into the Circuit Court and keeping the citizens three a week or ten days paying Hotel bills &c,

Mr Eagle of Lincoln moved to strike out "two" and insert "three" in line 5. Sect. 41,

Upon which the "ayes and noes" were called for and the call was sustained.

The secretary called the roll and the following named members voted in the affirmative.
Anderson of Craighead. Bunch. Bailey

Blackwell Bates. Cypert of Bayle Crowley
Austin Carroll. Clarke. Chisum Dunaway
Dorsett. Dodson. Eagle. Garland
Gurley. Gardenia Stone. Hampton
Harrison Hughes. Joyner. Killgore
Kelley. Knisworthy Leiper Lindsey
Lake. Mosely. Miller Mixon
Pattison. Quarterly. Pierce. Pulgram
Rogers Ross. Rutherford Reinhardt
Stanley. Scott. Sorsel. Thompson
of Crawford Thomason of Washington Thompson
Williams of Chuck. Williams of Union. Walker
and Witt.

Those voting in the negative were,
Anderson of Lee. Bullen of Independence
Bullen of Pulaski. Burton. Barnes,
Brown. Brown. Cypert of White. Copeland
Cunningham Cable. Cagle. Deans.
Eakin. Flanagin. Freeman Gibson
Horner. Hawkins, Harrell. Johnson
Lucas. Mansfield Murphy. McCollum
Parrott. Reclin. Smith of Pulaski. Williams
of Jefferson. Williams of Little River Wills.
President

On the affirmative	50
On the negative	32.
Not voting	9
	91

So the amendment was adopted.

Mr Thomason of Washington moved to strike out the word "two" in line 4 of sec. 41 and insert "three"

Mr Smith of Lafayette, appeared in his seat and answered to his name.

Mr Miller of Randolph moved the previous question, which was ordered.

The "ayes and noes" were called. The call was sustained.

The secretary called the roll and the following named members voted in the affirmative.

Anderson of Craighead Branch. Bailey
Blackwell Bates Cypert of Baylor
Crowley Austin Carroll Carter
Chisum Dunaway Dorsett Dodson
Eagle. Fishback Gurley Gardenia
Horne Harrison Hughes. Killgore
Kelley. Knisworthy Leiper Lucas.

Lake. Mosely. Nunn. Patterson.
Puntney Pierce Pulliam Rogers.
Ross Rutherford Reinhardt Stanley.
Scott. Smith of Lafayette Owens.
Thomason of Crawford. Thomason of Washington
Williams of Sharp. Williams of Union.
Walker and Witt.

Those voting in the negative were.
Anderson of Lee. Bullie of Independence
Butler of Pulaski. Bury. Bunn. Barnes.
Brown. Bowen. Cypert of White.
Copeland. Cunningham Cable
Cagle. Dennis. Eakin. Flanagin
Fruesin Gibson Garland. Horton
Hawkins Harrell Johnson. Lindsey
Mansfield. Murphy. Miller. Osmond
Parratt. Rector. Smith of Calhoun.
Thompson. Williams of Jefferson. Williams of
Little River. & Mr President.

On the affirmative 47.
On the negative. 35
Not voting. 9
91

So the amendment was agreed to.

Mr Smith of Calhoun moved to add at the end after "Dollars" the words excluding interest.

Adopted.

Mr Arnold of Scott offered the following amendment.

Add to sect 41, first part. and jurisdiction to render judgement by confession to the amount of five Hundred dollars."

Which was rejected.

Mr Dunaway moved to amend" Justices of the peace shall have jurisdiction in all cases of damages to the amount of one Hundred (100) dollars, provided the same may be tried by a jury

Mr Pickback of Sebastian moved further to amend as follows"

And such jurisdiction as may be provided by law in actions ~~of~~ for debt where the damages claimed do not one hundred dollars and prosecutions of assault and Battery and other petit offences less than felony and punishable by fine only.

but with drew the same by consent of the Convention.

Mr Flanagan moved further to amend by adding "in all actions of damages to persons and personal property not to exceed one Hundred dollars."

Which was accepted by Mr Dunaway of Fauquier.

Mr Correll of Scott was excused from further attendance to-day.

The hour of ten o'clock having arrived the president announced the special order of the day.

On Motion of Mr Eagle of Lunenburg the special order of the day was postponed until 26 minuts before 12. o'clock M.

The question then recurred upon the amend-ment offered by Mr Dunaway of Fauquier

which on being put was not agreed to.

Mr Chisum of Barbour moved to strike out the word "must" in Sec. 42. and insert "shall"

which was agreed to.

Mr Scott of Pope moved to amend as follows

Mr President I move to amend by striking out the words appointed by the chancellor in the 1st part of the 2d line of Section forty five and inserting in lieu there of these words. "Elected by the people"

Mr Ross of Clark moved to strike out first sentence Sec. 45

which was adopted.

The question then recurred upon agreeing to the amendment as amended

which was carried.

Mr Smith of Lafayette moved to amend sect. 45. by adding. The Chancellor and clerk of the Chancery Court. shall be elected by the people until otherwise provided by Law.

Mr Scott of Pope moved further to amend by striking out the balance of section 45.

which was rejected.

Mr Rector of Garland moved further to amend by saying "that the Chancellor and clerk of Chancery Court shall be elected by the people at the next General election for the term of two years.
But both amendments were withdrawn by consent of the convention.

Mr Rector of Garland moved further to amend section 45. as follows. "The chancellor and clerk of said Court shall be elected by the qualified electors of the state at the next general election and every two years thereafter until such Court is abolished."

Upon which Mr Rector called for the "ayes and noes" The call was sustained.

The secretary called the roll and the following named members voted in the affirmative.

Anderson of Lee.	Bunch.	Butler of Pulaski.	
Bivins.	Bailey.	Bynum.	Bates.
Copeland.	Crowley.	Curtis.	Carroll
Cubbin.	Cartwright.	Cussins.	Dunaway
Eakin.	Eagle.	Fishback	Goodwin
Howse.	Harrison.	Hughes	Johnson
Kilgore	Kelley.	Kennedy	Leigh
Lucas.	Lake	Mansfield.	Miller
Niven.	Patterson.	Pruitt	Pierce
Parrott	Pugliano	Rogers	Ross.
Rector	Reinhardt	Stanley.	Scott.
Smith of Lafayette of Bradford.	Smith of Saline. Thomason	Smith of Washington	Thompson
Williams of Jefferson.		Williams of Phillips	Sharp.
Williams of Mevier		Wasker.	Pratt.
& Mr President			

Those voting in the negative were.

Anderson of Craighead	Butler of Independence		
Blackwood	Brown.	Cypert of Baxter	
Cunningham	Cayle.	Dyess.	Dowell
Dodson.	Grimson	Garland.	Hulley
Hawkins	Howell	Lindsey	Osmulson
Rutherford	Williams of Sharp.		

In the affirmative 54.
In the negative 22
Not voting 15
41.

So the amendment was adopted.

Mr Eakin of Hempstead offered the following amendment. "2d line after word sections "for the final disposition of causes pending therein at the time of the adoption of this Constitution." and after word expedient "courts" and at the end " or transfer the cases to other Courts.

The question being put the amendment was adopted.

Mr Rector of Garland moved further to amend by inserting in his amendment of section 45, by adding " as provided by schedule proposed by this Constitution": but withdrew the same by consent

Mr Stanley of Bruce offered to amend as follows " any suit now pending in the Separate Chancery Courts in reference to the 16th section school funds shall be transferred to the Circuit Court in the County where the land is located

Mr Scott of Pope offered further to amend "That the separate chancery Court in the County of Pulaski shall be abolished after the 1st day of January 1878 if not sooner abolished by the general assembly and the business in said Court shall be transfered to the Circuit Courts of the various Counties in this State where the lands or other matters in controversy may lie"

Which was not agreed to.

The question then recurred upon the amendment offered by Mr Stanley of Bruce

The question was taken, and the amendment adopted

Mr Stanley of Bruce offered further to amend "in such manner as shall be provided by the general assembly at its first session under this Constitution.

Mr Smith of Lafayette moved to refer this section to the Committee on revision and arrangement of the Constitution for the purpose of perfecting the same and making it conform to the views of the convention.

Mr Barnes offered the following additional section "Add the following as section 46. =

The Criminal Court for Pulaski County is hereby abolished, and all the jurisdiction exercised by said Criminal Court is vested in the Circuit Court of Pulaski County, and it shall be the duty of the clerk of the criminal Court of said County to transfer all the records books and papers pertaining to said Court to the circuit Court of Pulaski County.

The President announced the special order of the day.

On motion of Mr Smith, of Lafayette the special order of the day was postponed until after the consideration of the article on Judiciary

Which was accepted by Mr Barnes of Pulaski, which is as follows

Section 46. The Separate Criminal Courts established by this State are hereby abolished, and all the jurisdiction exercised by said Criminal Courts is vested in the circuit Courts of the respective Counties, and all causes now pending therein are hereby transferred to said circuit Courts respectively. It shall be the duty of the clerks of said criminal Courts to transfer all the records, books and papers pertaining to said criminal Courts to the circuit Courts of their respective Counties.

Which was adopted.

The question then recurred upon the adoption of the Section offered by Mr Barnes of Pulaski.

Mr Tipton of Phillips moved to amend the section of Mr Barnes, of Pulaski, so as to apply to all the separate Criminal Courts of the State.

Mr Williams of Little River moved to amend section 46. as follows

Amend first line by inserting "the section" after the word "that".

Mr Smith, of Lafayette, moved to strike out section 46.

Which was not agreed to.
The question then recurred upon the adoption of the amendment offered by Mr Williams, of Union-

Mr Smith, of Lafayette, moved further to amend by adding after the word Sheriff "who shall be ex officio Assessor"

Mr Lesher of Dallas, moved to amend as follows

Insert after the word "Sheriff" in first line "who shall be ex officio assessor & collector of his County," except in Counties where the inventory of the property by value exceed one million of Dollars.

Which was accepted by Mr Smith.

The question was then taken and the amendment lost

Mr Thomason, of Crawford moved to adjourn until 3 o'clock P.M.

Which was not agreed to.

The question then recurred upon the adoption of the amendment offered by Mr Williams, of Union.

Which was adopted.

The Convention then took a recess until 4 o'clock P.M.

After the Recess

The Convention met at 4 o'clock P.M.

A quorum of the Convention present.

Mr Rector of Garland chairman of the Committee on Rail Roads and other External Improvements made the following report

To the President
and Members of the
Constitutional Convention

Gentlemen

The Committee on "Rail Roads and other External Improvements" have carefully considered the matters and things, severally committed to them, have the honor to report the following bill for the consideration of the Convention, and recommend its adoption as a part of the Constitution

Your Committee have endeavored to frame a system of internal improvements connected with the Rail-roads of the State. The Auditor, Treasurer, the Secretary of State, the Register, the Deaf and Dumb Institute for the Blind, and which in the opinion of the Committee, ought to be connected by Rail Roads, the right to construct such Railroads the Legislature is hereby vested with full power, by general law or charter to authorize

Rail Roads, Canals and Turnpikes.

Section 1. That Railroads, Canals & turnpikes shall be public highways, and all railroad & canal companies shall be common carriers. Any association or corporation organized for the purpose of making such Railroads, shall have the right to construct such Railroads the necessary width for depot grounds, and for the

State, and to connect at the State line with Railroads of other States.
Every railroad Company shall have the right with its road to intersect connect with, or cross any other road and shall receive and transport each the others passengers, tonnage, and cars loaded or empty, without delay or discrimination

Section. 2. Every railroad canal or turnpike corporation organized in this State shall maintain one office therein where transfers of its stock shall be made and where its books shall be kept for inspection by any stockholder or creditor of such corporation on which shall be recorded the amount of capital stock subscribed or paid in and the amounts owned by them respectively the transfers of said stock and the names and places of residence of its officers.

Section. 3. All individuals, associations, and corporations shall have equal right to have persons and property transported over railroads, canals and turnpikes; And no undue or unreasonable discrimination shall be made in charges for or in facilities for transportation of freight or passengers within the State or coming from or going to any other State.
Person and property transported over any railroad, shall be delivered at any station at charges not exceeding the charges for transportation of persons and property of the same class in the same direction to any more distant station. But excursion and commutation tickets may be issued at special rates

Section 4. No railroad, canal, or other corporation or the lessees, purchasers, or managers of any railroad, canal or corporation shall consolidate its stock property or franchises with or lease or purchase the works or franchises of, or in any way control any other railroad or canal corporation owning or having under its control a parallel or competing line nor shall any officer of such railroad or canal corporation act as an officer of any other railroad or canal corporation owning or having control of a parallel or competing line; And the question whether railroads or canal are parallel or competing lines shall when demanded by any party complainant shall be decided by a jury as in other civil issues.

Section. 5. No incorporated company doing the business of a common carrier shall directly or indirectly prosecute or engage in mining or manufacturing articles for transportation over its works, nor shall such company directly or indirectly engage in any other business than that of common carriers or hold or acquire lands free hold or lease-hold directly or indirectly except for the lands heretofore granted by congress and such additional lands as may

be necessary to carry on their business. But any mining or manufacturing company may carry the product of its mines and manufactures on its railroad canal or turnpike not exceeding fifty miles in length.

Section 6 No President, director, officer, agent or employee of any rail road or canal company shall be interested directly or indirectly in the furnishing of material or supplies to such company, or in the business of transportation as a common carrier of freights or passengers over the works owned, leased, controlled or worked by such company, nor in any arrangement which shall afford more advantageous terms or greater facilities than are afforded or accorded to the public. And all contracts and arrangements in violation of this section shall be void.

Section 7. No discrimination in charges or facilities for transportation shall be made between transportation companies and individuals or in favor of either by abatement drawback or otherwise. And no rail=road or canal company, or any lessee, manager or employee thereof shall make any preference in furnishing cars or motive power.

Section 8 No railroad, railway or other transportation company shall grant free pass or passage at a discount to any person except officers or employees of the company.

Section 9. No street passenger railway shall be constructed within the limits of any city borough or township without the consent of the local authorities, and until the company or individual proposes to construct the same shall have obtained the consent of the owners of the land to be affected thereby.

Section 10. All existing railroad, canal, township and street car charters or grants of special or exclusive privileges under which a bona-fide organization shall not have taken place, and business been commenced in good faith at the time of the adoption of this constitution shall thereafter have no validity.

Section 11. The General Assembly shall not remit the forfeiture of the charter of any corporation now existing or alter or amend the same or pass any general or special law for the benefit of such corporation except on the condition that such corporation shall thereafter hold its charter subject to the provisions of this constitution.

Section. 12, The exercise of the right of eminent domain shall never be abridged or so construed as to prevent the General Assembly from taking the property and franchises of incorporated Companies and subjecting them to public use, the same as the property of individuals.

Section. 13. No right of way or right to take or use private property shall be granted to any Railroad, other corporation or individual until full compensation therefor shall be first made in money or first secured by a deposit of money to the owner irrespective of any benefit from any improvement proposed by such Corporation, which compensation shall be ascertained by a jury of twelve men in a court of record as shall be prescribed by law and the right of appeal shall remain inviolate as in other Cases.

Section. 14. No railroad, canal, turnpike or other transportation Company in existance at the time of the adoption of this Article shall have the benefit of any future legislation by general or special laws except on condition of complete acceptance of all the provisions of this Article

Section 15. The General Assembly shall pass laws to correct abuses and prevent unjust discrimination and excessive charges by Railroad, Canal, and turnpike companies for transporting freight and passengers and shall provide for enforcing such laws by adequate penalties and forfeitures.

Section 16. The rolling stock and all other movable property belonging to any railroad company or corporation in this State shall be considered personal property and shall be liable to execution and sale in the same manner as the personal property of individuals, and the General Assembly shall pass no law exempting any such property from execution and sale.

Section 17. The General Assembly may by law tax the gross income of all railroads which now are or may hereafter be, constructed and operated in this State

Section. 18 All railroads which are now or may hereafter be built and operated in this State shall be responsible for all damages to persons and property under such regulations as may be prescribed by the General Assembly.

Section. 19. The directors of every railroad Corporation shall annually make a report under oath to the Auditor of public accounts of all their acts and doings which reports shall include such matters relating to railroads as may be prescribed by law and the General-

Assembly shall pass laws enforcing by suitable penalties the provisions of this section.

Which report was ordered to lay upon the table and 200 copies ordered printed.

The article on Judiciary was then taken up.

Mr Leiper, of Dallas moved to amend as follows

And each assessor shall receive for his services such a compensation per day as the General Assembly may provide.

Mr Flanagin, of Clark moved to strike out the words "per day" Which was lost.

Mr Thomason of Washington moved to amend by adding after the word Assessor as follows—

"One Assessor whose compensation shall be fixed by law".

The question was taken & it being a tie vote was taken and the amendment to the amendment was lost.

The question then recurred upon the amendment offered by Mr Leiper, of Dallas.

Which was lost.

Mr Scott of Pope offered to amend as follows

Provided that no per centum shall ever be paid to assessors upon the valuation or assessment of property made by them.

Which was adopted.

Mr Chism of Barber moved to amend as follows

And each Assessor shall receive such compensation as the County court may determine. Which was lost.

Mr Cypert of Baxter, moved to amend after word "Treasurer" in section 47

Add one Treasurer who shall be ex officio Treasurer of the Common School funds of the County.

Which was adopted.

Mr Parrott of St Francis, offered the following

"Amend Section 47 by striking out the words "presiding Judge" in the 2nd line and striking in lieu thereof the word "Clerk"

Which was lost—

Mr Smith of Saline moved to amend by inserting after word Constable the words "the term of two years".

Which was adopted—

Mr Goss of Clark moved to strike out section 50.

Which was adopted.

Mr Downs of Chicot, offered a substitute for Section 51.

Vacancies in all offices provided for in this Article shall be filled by Special Election, except when such vacancies shall occur within nine months preceding the expiration of the term of office to be filled in such case the Governor shall fill the vacancy by appointment.

Mr Anderson of Lee, offered further to amend by saying vacancies occurring in County Offices six months before the election shall be filled by specials election

Which was accepted by Mr Downs.

The question was then put and the amendment Lost.

Mr Thomason of Woodruff, offered the following additional section

Section There shall be no exclusion of any witness in civil actions because he is a party of the action or is interested in it; Provided, That in actions by or against Executors, administrators, or Guardians, in which judgement may be rendered against them either party shall be allowed to testify against the other as to any transaction with or statements to or by the testator intestate or ward, unless called to testify thereto by the opposite party—

Mr Thomason of Crawford, moved to strike out all after party reported to last line.

Which was accepted by Mr Thomason of Woodruff.

On motion of Mr Flanagin, the additional section was referred to the Committee on Schedule and Ordinance

Mr Flanagin, of Clark offered the following additional

section,

That in all cases of allowances made for or against Counties, Cities, or Towns, an appeal shall lie to the Circuit Court of the County at the instance of the party aggrieved or on the intervention of any citizen or resident and tax-payer of such County, City or Town on the same terms and conditions on which appeals may be granted to the circuit court on other cases, and the matter pertaining to any such allowances shall be tried in the circuit court de novo.

In case an appeal is taken by any citizen he shall give a bond payable to the proper county conditioned to prosecute the appeal, and save the county from costs on account of the same being taken

Which was adopted.

The Convention then adjourned until to-morrow morning at 8 o'clock.

Grandison D Royston
President Con. Convention

Thomas M. Newton
Secretary

Thursday

8. o'clock A.M.

August 20th 1874.

The Convention met pursuant to adjournment

The roll was called and the following named members answered to their names.

Anderson of Lee. Anderson of Craighead Bunch
Butler of Independence. Butler of Pulaski Bailey
Blackwell. Brown Bates. Bowen
Bynum of Baxter Bynum of Lawrence. Cunningham
Crowley. Cisler Carroll Cobler
Cartal Cagle. Chilcoat Dunn.
Dunaway. Dodson Eakin Eagle
Flanagin. Fishback Garland. Gidley,
Gridiron Grace Hampton Harrison
Hawkins Grubb. Johnson. Hill gore
Kelley. Kimmerley Lucas. Lindsey
Lake Mosely, Murphy Miller
Niven Pattison Pierce. Parrott.
Pulliam Rogers Rose. Rutherford
Reinhardt Stanley Smith of Pulaski. Sorrels
Sherman of Washington Shumaker Williams
of Little River Williams of Sharp. Williams of Union
Walker. Hill Vice President

Those absent at the call of the Roll were.

Bury. Brown Barnes Copeland
Dobbins Freeman Gibson Horner

Hughes. Innes. Joyner. Lupton Lesley.
Makepeace. Osullivan. Perkins. Polk. Reeder.
Smith of Lafayette, Thomason of Crawford, Williams of Jefferson & White
A quorum of the Convention present.

Prayer by the Chaplain

The journal of the preceding day was then read and approved.

Mess Scott. Chism Cantey Gibson Doswell
Rector. Barnes. Mansfield Pierson, Bamm
Copeland. Berry. Thomason of Crawford Butler
Leiper. appeared in their seats and answered to their names.

Mr Kilgore of Columbia offered the following resolution, "Resolved "that fifteen be stricken out of rule nineteen where it occurs before the "minutes," and the word five be inserted instead.

which was read the first time and laid over one day under the rule.

Mr Thompson of Woodruff offered the following resolution. "Resolved that the president of this Convention appoint a committee of three members to contract for printing in pamphlet form and distributing among the several counties in proportion to their population (50000) fifty thousand copies of the Constitution now being framed by this Convention."

Mr Pickback of Abbeville offered to amend further by authorizing the committee to contract with the papers in this different counties to publish the Constitution"

Mr Kilgore of Columbia offered the following as an amendment to the amendment. "Resolved that the committee on "revision and arrangement" be and they are hereby authorized to contract for the printing and publishing of the Constitution now being framed

Mr Miller of Abbeville called for the previous question which was sustained.

The question recurred upon the amendment to the amendment.

which was adopted.

The question then recurred upon adopting the resolution as amended.

Mr Thompson of Ardduff moved to amend by paying 50000 Copies which was adopted.

The resolution was then adopted as amended

Mr Doswell moved that the Revising Committee be instructed to report back to the convention the printing contract when made for ratification

which was adopted. — — —

Mr Smith of Lafayette appeared in his seat and answered to his name.

Mr. Smith of Lafayette introduced the following

"Moved that the Committee on arrangement and revision be authorized if they deem it expedient to have the Constitution as arranged by them and their report printed before presenting the same to the Convention.

Mr. Scott of Pope Chairman of the committee on the revision of the journal rose to a question of privilege! He desired the sense of the Convention as to the particular duty of the Committee in correcting errors and omissions in original resolutions

Mr Reclin of Garland then offered on behalf of the committee the following. "Resolved that the Committee on Revision of the journal should be authorized to supply missing words. and correct spelling.

which was adopted.

The article on judiciary was then taken up.

Mr Flanagin of Clark offered ——— the following additional section "3 That in all cases of contest for any County township or municipal office, an appeal shall lie at the instance of the party aggrieved from any inferior Court Circuit Court or tribunal to the Circuit Court on the same terms and conditions on which appeals may be granted to the Circuit Court in other cases, and on such appeal the case shall be tried de novo

Mr Stone of White moved to reconsider the action of the Convention had upon Sec. 41.

Which was Carried.

Mr Stone then offered the following amendment to section 41. "He shall have Concurrent jurisdiction with the circuit Court. in all matters of damage to personal property when the amount in controversy does not exceed the sum of One hundred dollars. - To be added to end of 4th line.

The "ayes and noes" were ordered

The secretary called the roll and the following named members voted in the affirmative.

Branch.	Butler of Pulaski.	Bailey	Barnes.
Blackwell.	Brown.	Bates.	Bynum of C
Bates	Bynum of White.	Copeland.	Cunningham
Custer	Carlen.	Carter.	Chisum
Downs.	Dunaway.	Dorroll.	Hudson
Eagle.	Fishback	Gulley.	Goodwin
Horse.	Hampton.	Harrison.	Hughes.
Howell	Imes.	Killgore	Kelley.
Kavanaugh	Leiper	Lindsey	Lindsey
Lake.	Mosley,	Murphy.	Miller
Niven	Patterson.	Pantherey.	Pierce
Parrott.	Pulliam	Rogers.	Ross.
Rector	Rutherford	Reinhardt	Stanley.
Scott.	Smith of Lafayette	Smith of Pulaski.	Webb.
Thomason of Crawford.		Thomason of Washington	
Williams of Izard.	Walker + Mr President.		

Those voting in the negative were Anderson of Cross Anderson of Craighead Butler of Independence Bynum

Brown.	Cayle.	Eakin.	Flanagin	Freeman
Gibson	Garland.	Hamm.	Hawkins.	Johnson
Mansfield	Pendleton	Thompson.	Williams of Little River	
Williams of Clark. and Witt				

So the affirmative	60
So the Negative	21
Not voting	11
	91

So the amendment was adopted.

Mr Imes. Hughes. and Hamm appeared, and took Seats and answered to their names.

Mr Downs of Chicot moved to reconsider Sect. 28.

Which was not agreed to.

Mr Flanagin offered the following additional section "Each judge of the Probate Court shall be his own clerk and fees received by him for such services shall be accounted for by him and deducted from the salary allowed him by law.

Mr Brown of Clayton called for the previous question, which was sustained.

The ayes and noes were called for and the call was sustained.

The roll was called and the following named members voted in the affirmative.

Anderson of Lee. Anderson of Craighead Barnes Blackwell. Bryant of White. Flanagin Horne Howell. Lucas Parrott Rose. Williams of Little River

Those voting in the negative were.

Bunch. Butler of Independence. Butler of Pulaski
Berry. Bailey. Bunn. Barnes. Brown
Bates Brown. Bryant of Bradley. Copeland
Cunningham Crowley. Custer Cable.
Carter Cagle. Cluck Dirrs.
Doswell. Dodson. Eaker Eagle
Friesen Fishback Gibson. Garland
Gulley. Gordon Hamsin. Horner.
Hughes. Hawkins Johnson. Ivy
Hillgrove Hulsey Kincannon Leiper
Lindsey Lake. Mosely. Mansfield
Murphy. Miller Irwin. O'Sullivan
Patterson Pruitt. Pierce. Pulliam
Rogers. Rector. Rutherford Reinhardt
Stanley Scott. Smith of Lafayette. Smith
of Lafrie. Simmons Thompson of Crittenden
Thompson of Sharp Washington Thompson. Williams
and Mr President Williams of Union. Walker. Witt

In the affirmative	12.
In the negative	68.
Not voting	11
	91

So the additional section was not agreed to.

On motion of Mr Bunch of Carroll the article on Judiciary was ordered to lay upon the table until the Judiciary Committee make their report upon section 27.

Mr Eagle of Lonoke Chairman of the Committee

on engrossment made the following report.
Mr President.
"Your committee on engrossment, have examined the article on Legislative Department, and report the same correctly engrossed."

The report of the Committee was received

The article on Legislative department was then read the third time and placed on its passage.

The roll was called and the following named members voted in the affirmative.

Anderson of Lee.	Anderson of Craighead	Bunch	
Butler of Independence.	Butler of Pulaski.	Berry	
Bailey.	Bunn	Blackwood.	Brown
Baird	Bowen.	Bystent of Boyette	Bystent of
White	Cunningham	Crowley.	Custer,
Cable.	Carter.	Cagle	Chism
Caswell.	Dodson.	Eakin.	Eagle
Flanagin	Freiser	Fishback	Gibson
Garland	Gurley.	Gordon	Horse
Hamplin.	Harrison	Hughes	Hawkins
Howell.	Johnson.	Hillgine	Kelley
Knisworthy	Leiper	Lucas.	Lindsey
Lake.	Mansfield	Murphy.	Miller
Pattison.	Pruitney	Price.	Perkins
Parrott.	Phillips	Rose.	Rector.
Rutherford	Reinhardt	Stanley.	Scott.
Smith of Saline.	Sorrels.	Thompson of Crawford	
Thompson of Jefferson.	Washington	Thompson.	Williams
of Sharp	Williams of Little Rock.	Williams of Izard.	Wilson. Witt

and Mr President

Those voting in the negative were

Barnes.	Copeland	Downs.	Jones.
Scullion	Smith of Lafayette.		

In the affirmative	72.
In the negative	6
Not voting	12.
	91

So the article on Legislative department was adopted

Mr Fishback of Pulaski submitted the following Communication

State of Arkansas. State department. Little Rock Arkansas. August 11th 1874.

Col W. M. Fishback
Chairman Finance Committee.

Dear Sir,

I waited to have an interview with you this morning, but you were seated before I could see you, and I therefore intrude upon you by written communication. I am anxious if you think it proper and right that the allowance for clerk hire for this office shall be increased in the proposed ordinance or resolution from $150.00 per month to $225.00. And respectfully urge the following reasons in favor of the same. First, connected with the secretarys office proper, there is as you know the state Library the care of this including the reception and distribution of books is considerable and involves at certain seasons a great deal of extra work. The journals and ads for instance when published have to be distributed to the counties making the office really equal to a first-rate book establishment in business aspect &c Moreover the attention of one clerk should be particularly paid to the arrangement and care of the books, seeing that vacant volumes are supplied &c &c.

Second - My present deputy is a man whose services are worth more to the State and to the office than those of any one, who could be hired at ordinary clerks wages, familiar with the statutes and customs governing every ordinary transaction of the departments he has been depended on for years by the heads of this department as well as the Executive to conduct much of the business relating to extraordinary actions such as proclamations writs &c, all of which require a good knowledge of the laws and precedents. Moreover his services in the public interest during the late troubles both here and at Washington deserve in my opinion extra Consideration and if he is contented with a fair salary and clerkship I earnestly desire your influence to secure it- the increase asked for is not much to the State, but would be a great service in the conducting of this department, the addition asked for is $50 making the total for clerks hire $225 per month. I make this communication to you in the interest of clerks not only, but for the good of my department.

If you can consistently give the amendment as desired. I will esteem it a favor but would not urge any thing inconsistent with your own views or wishes as chairman of the Committee

Yours Truly
J. M. Johnson
Secretary of State

Which on motion of Mr Fishback of Sebastian was laid upon the table.

The article on Legislative department was then referred to the committee on Revision and arrangement of the constitution.

Mr Smith of Lafayette offered the following motion.

"That the committee on arrangement and revision be authorized and instructed to insert a provision in the article on legislation providing that the senate shall elect a president with the opening and close of each regular session, of the same, if the same is not already provided for.

Which was adopted.

The article on Education was then on motion of Mr Thomason of Crawford read.

Mr Stoner moved that the majority report be taken up.

Mr Leiper of Dallas moved as an amendment to take up the minority report.

Which was agreed to.

Mr Smith of Lafayette moved to reject the minority report. but withdrew his motion.

Mr Cypert of White moved as a substitute that the convention now take up the majority report.

Which was not agreed to.

Mr Stoner of Phillips moved that section 1. of Majority report be substituted in lieu of section 1. of the minority report.

Mr Fishback of Sebastian introduced the following as a substitute for both the majority and minority reports "

Section 1. The general assembly shall provide by law. for maintaining a general system of common schools. wherein all persons in the state between the ages of six and twenty one years may receive gratuitous instruction. provided that no general state tax exceeding two mills on the dollar, shall be levied in any one year. to support the same,

Section. 2. No money now belonging to the public school fund or which for the support of public

Col W. M. Fishback
Chairman Finance Committee.
Dear Sir,

I wished to have an interview with you this morning, but you were seated before I could see you, and I therefore intrude upon you by written communication. I am anxious if you think it proper and right that the allowance for clerk hire for this office shall be increased in the proposed ordinance or resolution from $145.00 to $225.00 per month. And respectfully urge the following reasons in favor of the same. First, connected with the secretarys office proper, there is as you know the state Library the care of this including the reception and distribution of books is considerable and involves at certain seasons a great deal of extra work. The journals and acts for instance when published have to be distributed to the counties making the office nearly equal to a first-rate book establishment in business aspect &c Moreover the attention of one clerk should be particularly paid to the arrangement and care of the books, seeing that vacant volumes are supplied &c &c

Second - My present deputy is a man whose services are worth more to the State and to the office than those of any one, who could be hired at ordinary clerks wages, familiar with the statutes and customs governing every ordinary transaction of the departments he has been depended on for years by the heads of this department as well as the Executive to conduct much of the business relating to extraordinary actions such as proclamations writs &c, all of which require a good knowledge of the laws and precedents. Moreover his services in the people's interest during the late troubles both here and at Washington deserve in my opinion extra Consideration and if he is contented with a fair salary and clerkship I earnestly desire your influence to secure it- the increase asked for is not much to the State, but would be a great service in the conducting of this department, the addition asked for is $50, making the total for clerks hire $225 per month. I make this communication to you in the interest of duties not only, but for the good of my department.

If you can consistently offer the amendment as desired. I will esteem it a favor but would not urge any thing inconsistent with your own views or wishes as chairman of the Committee

Yours &c
J. M. Johnson
Secretary of State.

Which on motion of Mr Fishback of Sebastian was laid upon the table.

The article on legislative department was then referred to the committee on Revision and arrangement of the constitution.

Mr Smith of Lafayette offered the following motion.

"That the committee on arrangement and revision be authorized and instructed to insert a provision in the article on legislation providing that the senate shall elect a president with the opening and close of each regular session, of the same, if the same is not already provided for.

which was adopted.

The article on Education was then on motion of Mr Thomason of Crawford read.

Mr Stormer moved that the majority report be taken up.

Mr Leiper of Dallas moved as an amendment to take up the minority report.

which was agreed to.

Mr Smith of Lafayette moved to reject the minority report. but withdrew his motion.

Mr Dysert of White moved as a substitute that the convention now take up the majority report.

which was not agreed to.

Mr Stormer of Phillips moved that section 1. of Majority report be substituted in lieu of section 1. of the minority report.

Mr Fishback of Sebastian introduced the following as a substitute for both the majority and minority reports "

Section 1. The general assembly shall provide by law, for maintaining a general system of common schools. wherein all persons in the state between the ages of six and twenty one years may receive gratuitous instruction. provided that no general state tax exceeding two mills on the dollar, shall be levied in any one year, to support the same,

Sec. 2. No money now belonging to the public school fund or raised for the support of public

Schools of this state, shall be appropriated to or used for the support of any sectarian school."

The convention then took a recess until 4. o'clock P.M.

After the Recess.

The convention met at 4. o'clock P.M.

A quorum of the convention present.

The question recurred upon the substitute offered by Mr Pishback of Sebastian.

Pending the discussion of the substitute offered by Mr Pishback of Sebastian Mr Stonor of Phillips moved to adjourn until tomorrow morning at 8 o'clock

Which was not agreed to.

At 6. o'clock and thirty minutes the Convention adjourned until tomorrow morning at 8 o'clock.

Thomas M. Newton
Secretary.

Granderson D Roupton
President Con Convention
ark.

Friday
8. o'clock A. M.
August 21st 1874.

The convention met pursuant to adjournment.

The secretary called the roll and the following named members answered to their names.

Anderson of Lee. Anderson of Craighead. Bunch. Butler of Independence. Butler of Pulaski. Baily Bunn.
Blackford. Brown. Bates Bowen
Bynum of Baxter Bynum of White Cunningham Crowley
Cashe. Carroll. Cabler. Carlile
Downs. Dunaway Doswell. Dodson
Eakin Eagle. Flanagin Pierson
Pishback Garland Galley Goodwin
Stone Hamblin Harrison Hawkins
Hamm Howell Johnson. Killgore
Kelley Kinsworthy Lipsa Lucas
Lindsey Luke Mosely. Nixon
Patterson Pantney. Pierce Parrott
Pulliam Rogers Ross Rutherford
Reinhardt Stanley Sorrels Thompson

of Crawford Thomason of Washington Williams of Little River. Williams of Sharp. Williams of Union Wasker. Witt. & Mr President.

Those members failing to answer to their names at the call of the roll. were

Bury. Bigni Barnes. Copeland Cagle.
Gibson. Homer. Hughes. Jones. Joyner.
Lesli. Mansfield. Murphy. Miller O'Sullivan
Perkins. Polk. Rector. Scott. Smith of
Lafayette. Smith of Calvin. Williams of Jefferson.
Thompson. and White

A quorum of the convention present.

Prayer by the Chaplain.

Mr Miller of Randolph appeared in his seat and answered to his name.

The journal of the preceding day was read and approved.

Bury Polk. Hughes. Thompson. Scott.
Chisum Cagle. Mansfield. Williams of
Jefferson. Gibson White Copeland
Smith of Lafayette. Rector of Garland. appeared
in their seats and answered to their names.

The following resolution introduced on yesterday by Mr Killgore of Columbia, came up as unfinished business.

Resolved that 15 minuets be stricken out
of rule 19 where it occurs before the word minuets and the words to be inserted" instead

which was adopted.

The article on Education was then taken up.

Mess Barnes and Murphy. appeared in their seats and answered to their names.

The question recurred upon the substitute offered by Mr Pickback on yesterday upon which the previous question was ordered

The "ayes and noes" were called for.

The secretary called the roll and the following named members voted in the affirmative

Anderson of Lee. Anderson of Craighead Bunch.
Blackwell. Brown Bynum of White. Copeland
Crowley Custer. Carroll Dunaway
Dorsett Dodson Pierson Pickback
Garland Goodwin Reese. Homer.

Hughes. Hawkins Howell Johnson Kellyne
Lucas. Lindsey Pruitney Truett. Sullivan
Peck Ross. Stanley. Thompson
Williams of Little River Williams of Union. White
Watt and the President.

Those voting in the negative
Butler of Independence. Butler of Orleans. Berry
Bailey Burns. Barnes Bates.
Brown. Bryant of Boyle. Cunningham Cable
Carlin. Eagle. Chism Dorris.
Eakin. Eagle. Flannigan Gibson
Gulley Hampton Hanson Hanna
Kelly. Kinsworthy Lesher Lake.
Mosely. Mansfield Murphy Miller
Nevil. Patterson. Pierce. Rogers.
Rutherford. Reinhardt Scott. Sowels.
Thomason of Crawford. Thomason of Washington
Williams of Jefferson. Williams of Clark. and
Wheeler.

On the affirmation	38.
On the negative	44
Not voting	9
	91

So the substitute was lost.

Mr Mansfield offered the following as a substitute.

"Article." "Education".

Section 1. Intelligence and Virtue being the safeguards of Liberty and the bulwark of free and good Government. The State shall ever maintain a general suitable and efficient system of free Schools.

Section 2. No money or property belonging to the public School fund or to this state for the benefit of Schools or universities shall ever be used for any other than educational purposes.

Section 3. The General assembly shall provide by General laws for the support of Common Schools by taxes which shall never exceed six mills on the dollar, on the taxable property of this state. and by an annual per capita tax of one dollar.

Section 4. The supervision of Public Schools — and the execution of the laws regulating the same shall be vested in and confided to the General Assembly.

Mr Eakin of Hempstead moved the previous question which was ordered.

The ayes and noes were called for and ordered.

The roll was called and the following named members voted in the affirmative.

Anderson of Lee. Anderson of Craighead Bunch
Butler of Independence. Butler of Pulaski Bynum.
Barnes. Blackwell. Bynum. Cypert of
Baxter Cypert of White. Crowley. Custer.
Carroll. Eagle. Chrism Dunaway
Dorsett Dyson. Eakin Eagle
Flanagan Frierson Fishback Garlands
Guley. Goodwin. House. Hampton.
Hamby. Hughes. Hawkins. Hanna.
Howell. Johnson. Kilgore Kincannly
Lucas Lindsey Mosley. Mansfield
Nixon. Patterson. Prewitt Pierce
Pannell. Pittman. Polk Ross.
Rutherford Reinhardt Scott. Sowds.
Thomason of Crawford. Thomason of Washington
Thompson. Williams of Little River. Williams of Sharp
Williams of Union Walker. and the President.

Those voting in the negative were.

Berry. Bailey Bates. Brown. Copeland
Cunningham. Cable. Carter Dorris.
Gibson Harrison Kelley. Leiper
Lake. Murphy Miller Rogers.
Stanley. Williams of Jefferson. White and Wolf.

In the affirmative	60
In the negative	21.
Not voting	16.
	91

So the substitute was adopted.

Mr White of Pulaski moved to strike out the words "suitable" in section 1. of the substitute.

Mr Leiper called for the "ayes and noes." which call was sustained.

Mr Barnes of Pulaski offered as a substitute for section 1. of the substitute just adopted.

"Intelligence and virtue being the safeguards of liberty and the bulwark of a free and good government the state shall ever maintain a good and efficient system of free schools wherein all the children of the state between the ages of six and twenty one years can be educated.

which was ruled out of order.

The question then recurred on the amendment of Mr White of Phillips

The roll was called and the following named members voted pro the affirmative

Anderson of Lee. Butler of Pulaski. Berry.
Brown. Barnes. Blackwell. Bynum
of White. Copeland Crowley. Bissell
Easley. Frierson. Fishback Horner
Hughes. Hawkins. Hamm. Jones.
Mosely. Murphy. O'Sullivan Pinckney.
Perkins. Polk. Ross. Smith of
Lafayette. Thomason of Crawford. Thompson
Williams of Jefferson. Williams of Little River
Williams of Union. White. Witt and Mr.
President

Those voting in the negative were.
Anderson of Craighead Branch. Butler
of Independence. Bailey. Bates.
Bowen. Bynum of Baxter Cunningham
Bush. Cable. Curtis.
Cagle Chism Dennis. Dunaway
Dodson. Eagle. Flanagin. Gibson
Garland. Gulley. Gordon. House.
Hampton. Harbison Harrell. Johnson.
Kilgore Kelley Kinsworthy Leiper
Lucas Lindsey Lake. Mansfield
Miller Niven. Patterson. Pierce
Parrott. Pulliam Rogers. Reeler
Rutherford Rinehardt Stanley Scott.
Smith of Calhoun. Sorrels. Williams of Sharp
and Walker.

In the affirmative 34,
In the negative 51.
Not voting 6
91

So the amendment to strike out the word suitable was lost."

Mr Leiper of Dallas sent to the secretary desk the following explanation of his vote. "I vote no because I do not want a school system fixed upon the state that is oppressive to the people and I cannot support any proposition that gives the power to the legislature to inaugurate a system of schools wherein the two races may be mixed together, and does break down all the barriers of good and wholesome society.

Mr Barnes of Pulaski, then called up the substitute offered in lieu of the first section, and offered the same as an amendment.

Mr Eakin called for the previous question which Call was sustained,

And the previous question ordered

Messrs Jones and Perkins then answered to their names.

The Secretary called the Roll and the following named members voted in the Affirmative.

Anderson, of Lee. Butler, of Pulaski. Berry. Bynum. Byrnes.
Caysert, of White. Copeland. Downs. Hogan. Hughes
Coleman Johnson. Jones. Murphy. O'Sullivan.
Quinney Perkins. Polk Smith of Lafayette
Thomason, of Crawford. Williams of Jefferson. Williams
of Little River & White.

Those voting in the negative were -

Anderson of Craighead. Bench. Berry. Bailey. Blackwell.
Bates. Bowen. Caysert of Boyton. Cunningham.
Curtis. Cable. Easton. Chism. Dunaway.
Doswell. Dodson. Eakin. Eagle. Flanagin.
Ferguson Fishback. Garland. Fuller. Goodwin. Howell
Hamilton. Harrison. Howell. Kilgore. Kelley.
Kinzeworthy Lyons Lucas. Lindsey Lake Morley.
Mansfield Miller Niven. Patterson. Price Parrott.
Pullagan. Rogers. Reed. Rector. Rutherford
Reinhardt Stanley Scott. Smith of Saline. Sorrels.
Thompson. Williams of Sharp. Williams of Union.
Walker & Mr President.

In the Affirmative 24.
In the Negative 54
Not Voting 16
91

So the Amendment was not agreed to -

Mr Mansfield of Franklin moved to add to section 1 the words whereby all persons between the age of six and twenty one years may receive gratuitous instruction.

Which was agreed to -

Mr Thomason of Crawford moved to strike out the word "six" and insert "eight."

Mr Walker moved then the previous question.

Which was ordered -

The question was then put and carried.

Mr Thompson of Woodruff moved to reconsider the vote last had.

Which was Carried

The previous question was called for"

The call was sustained by five members.

Mr Williams of Jefferson, called for the "Ayes and Noes"

The call was sustained—

The Secretary called the Roll and the following named members voted in the Affirmative—

Bates. Cabler. Garland. Howell. Killgore. Mosley.
O'Sullivan. Rogers Rector. Reinhardt. Smith of Saline
Thomason, of Crawford & Walker.

Those voting in the negative were.

Anderson of Lee. Anderson of Craighead Branch.
Butler of Independence Butler of Perlaski. Berry.
Bailey. Benn. Barnes Blackwell
Brown. Bowen. Cypert of Baxter Cypert of White
Copeland. Cunningham. Crowley. Custer. Carter
Cagle. Chism. Downs Dinaway Dorwell.
Dodson. Eakin. Eagle. Flanagin Emerson
Leighback Gibson. Bailey. Goodwin. Greene
Hagnston. Harrison. Hodges. Hughes. Hawkins
Hanna. Jones Jorgnen. Kelly, Kinworthy.
Leiper. Lucas. Lindsey Lake. Mansfield
Murphy. Miller. Nixon Patterson Pumphrey.
Price. Perkins. Parrott Pulliam. Polk
Ross. Rutherford. Stanley Scott. Smith of
Lafayette. Sorrells. Thomason of Washington.
Thompson. Williams of Jefferson. Williams of Little-
Veach. Williams of Sharp. Williams of Union
White. Witt & McK President.

In the Affirmative		13.
In the Negative		74
Not voting		7

So the Amendment was lost—

Mr Eagle of Lonoke, moved to strike out "twenty one" and insert "Eighteen"

Mr Hawkins of Ashley called for the previous question which call was sustained

The previous question on being put was ordered.

The question then recurred on the Amendment

which was adopted.

Mr Flanagin moved to strike out the word "Education in Section 2 of the substitute

and insert "for those respective purposes to which it belongs"

which was adopted.

Mr Thompson, of Woodruff, moved to strike out the word "now" in Section 2.

Which was adopted.

Mr Gulley, of Izard moved to amend section 2 as follows - "And such property shall be exempt from taxation, but was withdrawn by consent.

Mr Barnes, of Pulaski, moved to strike out "Two" in Section 3 and insert "five"

Upon which Mr Mansfield, of Franklin, called for the "Ayes and Noes".

Which were ordered

Mr Johnson, of Calhoun moved the previous question

The call was sustained and on being put was ordered

The Secretary called the Roll and the following named members voted on the Affirmative.

Anderson, of Lee. Butler, of Pulaski. Barnes. Eskeland
Downs. Eakin. Jones. O'Sullivan. Pantney.
Polk. Perkins. White.

Those voting in the Negative were -

Anderson of Craighead. Branch. Butler of Independence.
Bailey. Bynum. Blackwell. Brown
Bates. Bowen. Calbert, of Baxter. Crisp of White.
Cameron Cum. Crowley. Cable. Carter. Eagle
Chism. Dunaway. Dowell. Dodson. Eagle
Flanagin. Frierson Fishback Gibson
Garland. Fuller. Goodwin. Howie.
Hampton. Harrison Horner. Hughes.
Hawkins. Hanna. Horwell. Johnson.
Joyner. Kellgore Kelley. Kenworthy
Leper. Lucas. Lindsey Lake
Mosley. Mansfield. Miller. Nevins.
Patterson Pierce Parrott. Pulliam
Rogers. Ross. Proctor. Rutherford
Reinhardt Stanley. Scott Smith of Lafayette
Smith of Saline. Thomason, of Crawford,
Thompson, of Washington, Thompson. Williams of
Jefferson. Williams of Little River. Williams of Ark
Williams, of Lamon. Walker, White & Mc, President.

On the affirmative 12
In the Negative 12
Not voting 7 = So the amendment was lost

Mr Miller, of Randolph, offered to amend as follows—

The General Assembly shall not authorize the levy of any County or other local tax for common schools except by vote of the people of the County or district, and not to exceed two mills in any one year.

Mr Baker, of Dallas, moved to further amend as follows

All taxes collected for school purposes in any school district in this State, shall be held in the County in which it is collected and distributed by the Treasurer of said County to the school district in which said tax is collected on the warrant of the Trustees of said school District.

The "Ayes and Noes" were ordered.

The previous question was called for, sustained, and ordered

The Roll was called and the following named Members voted in the Affirmative—

Anderson of Craighead.	Branch.	Bailey.	Brown.
Bates.	Cunningham.	Calter.	Cazort.
Chism	Eagle.	Gibson.	Garley.
Gowen.	Hampton.	Harrison	Hanna.
Horner.	Kilgore	Kelly.	Kinsworthy
Mitchell.	Mahan	Patterson.	Pulliam.
Rogers.	Ruston.	Stanley.	Scott.
Swimbark	Lafayette.	Thomason of Washington	Crawford.
Walker	Williams of Union.	Williams of	Shark

Those voting in the Negative were—

Anderson of Lee	Butler of Independence.	Butler of Pulaski	Berry.
Burnes.	Blackwell.	Bowen.	Baxter.
Bizzell.	Caplent of	White.	Cleveland.
Crowley.	Caglil.	Downs.	Dunaway.
Dinsmore.	Dodson.	Eakin.	Fierson.
Fishback	Garland.	Goodwin	Pearson
Hughes.	Hawkins.	Johnson.	Jones
Lucas.	Lindsey.	Lake	Mosley
Mansfield.	Mauldin.	O'Bullivan	Huntsey.
Perkins.	Pairotte.	Polk.	Ross
Rutherford.	Thompson.	Williams of Jefferson	Williams of
Little River.	White.	Wilson & Mr President.	

In the Affirmative 47.
In the Negative 38
Not voting 6
91

So the Amendment to the Amendment was lost—

The question then recurred upon the Amendment—

=offered by Mr Miller of Randolph.

Mr Horace of Phillips to Mr Miller's amendment moved to strike out "Two Mills" and insert "Five Mills"

Mr Hawkins of Ashley, moved the previous question.

The call was sustained, and on being put was ordered -

The "Ayes and Noes" were called for and the call was sustained

The Secretary called the Roll and the following named members voted in the Affirmative -

Anderson of Lee, Battle of Pulaski, Berry, Bynum, Barnes,
Blackwell, Brown, Cypert of White, Copeland, Creston,
Eagle, Eggers, Dowell, Flenniken, Frierson,
Fishback, Howie, Horner, Hughes, Johnson,
Jones, Joyner, Murphy, O'Sullivan, Pankey
Perkins, Polk, Ross, Smyth of Lafayette
Thompson, Williams of Jefferson, White of White

Those voting in the Negative were -

Anderson of Craighead, Branch, Butler of Independence, Daily,
Bates, Brown, Cypert of Baxter, Cummings,
Chester, Cobler, Carter, Chism, Dunaway, Dodson
Eustin, Engle, Gibson, Garland, Gulley, Goodwin
Hampton, Harrison, Hawkins, Harris, Howell,
Fallow, Kelly, Kinsworthy, Lupes, Lucas,
Lindsey, Lake, Mosley, Mansfield, Patterson
Price, Parrish, Pullium, Rogers, Reaton,
Rutherford, Reinhardt, Stanley, Scott, Smith of
Saline, Sorrels, Thomason of Crawford,
Thomason of Washington, Williams of Little River,
Williams of Union, Williams of Sharp, Walker,
Witt & Mr President.

On the Affirmative	31
On the Negative	57
Not voting	8
	97

So the Amendment was lost

Mr Fishback of Sebastian then offered to further Amend the Amendment as follows.

Provided, the General Assembly may by general law authorize School districts to levy by a vote of the people of such district a tax not ~~to~~ to exceed five mills on the dollar in any one year for School purposes Provided, that no such tax shall be appropriated to any other purpose nor to any other district than that for which levied.

The previous question was called for sustained and ordered -

The "Ayes and Noes" were called for and sustained

The Roll was called and the following named members voted in the affirmative.

Anderson of Lee. Butler of Independence. Butler of Pulaski.
Berry. Bailey. Burns. Barnes. Blackwell. Brown.
Bryant of Baxter. Bryant of White. Copeland. Cunningham
Crowley. Custer. Carter. Cagle. Chism. Downs.
Dunaway. Doswell. Dodson. Eakin. Flanagin.
Frierson. Fishback. Gibson. Garland. Goodwin.
House. Harrison. O'Connor. Hughes. Hawkins.
Johnson. Jones. Joyner. Kellogg. Lucas.
Lindsey. Lake Mosley. Mansfield. Merkley
Niven. O'Sullivan. Prentiss. Pierce. Perkins
Parrott. Pilliam. Polk Ross. Reinhardt-
Smith of Lafayette. Smith of Saline. Sorrels.
Thomason, of Crawford. Thompson. Williams of
Jefferson. Williams of Little River. Williams of
of Shark. Williams of Benton. White. Mr
& Mr President.

Those voting in the negative were
Anderson of Craighead. Bates. Bowen. Cabler. Eagle
Geller. Harwell. Kelly. Kensworthy. Lisker.
Miller. Patterson. Rogers. Rector. Rutherford
Stanley Scott. Thomason of Washington
& Walker.

In the Affirmative 67
In the Negative 19
Not voting 5
91

So the Amendment to the Amendment was adopted

The question then recurred upon the agreement to Amendment as adopted.

Mr Thomason of Crawford. Moved to add, additional Section

All taxes levied for school purposes shall be paid in the Currency of the United States.

The Convention then took a Recess until 4 o'clock P. M.

After the Recess

The Convention met at 4 o'clock P. M.

A quorum of the Convention present.

Mr Thomason of Crawford withdrew his additional Section.

Mr Smith of Lafayette, offered to amend by Striking out the word "may" and inserting the word "shall"

Mr Walker of Washington, called for the previous question -

which call was sustained and ordered

The "ayes and noes" were ordered -

The Roll was called and the following named members voted in the Affirmative

Anderson of Lee. Butler of Pulaski. Berry. Barnes. Blackwell Bryant J. - White Copeland. Downs. Goodwin. Horne Hudson. Jones. Murphy. Pentney Perkins. Smith of Lafayette. Williams of Jefferson. White. Williams of Little River & Williams of Union.

Those voting in the Negative were

Bunch. Butler of Independence. Bailey. Brann. Brown. Bates. Bowden. Bryant of Baxter. Cunningham Crowley. Custer. Elder. Carter. Eagle. Chism. Dunaway. Foswell. Dodson. Eakin. Eagle. Flanagin Ferguson. Fishback. Garland. Gulley. Hamilton. Harrison. Hughes. Hanna. Howell. Johnson. Kilgore Kelly. Kingsworthy. Lisker. Lucas. Lindsey Lake. Mobley Mansfield. Miller. Moore Patterson Price. Pardue. Pullidin Rogers Ross. Rector Rutherford. Reinhardt. Stanley Scott. Smith of Saline. Lewis. Thomason. Crawford Thomason of Washington. Thompson. Williams of Shark Walker of Wh By Mr President -

Mr Mansfield of Franklin moved to amend as follows

Amend by adding after the words "one dollar" the words to be annually assessed on every male inhabitant of this state over the age of twenty one years - Which was adopted -

Mr Thompson of Woodruff moved further to add the words "And, before and after Provided"

Which was agreed to -

Mr Mansfield moved to add the words such offices as may be provided by the General Assembly and strike out all after the words "confided to" in Section 4"

Which was adopted -

Mr Barnes of Pulaski moved the following additional Section

The legislature shall provide by law for securing to the people of the respective townships in this State the lands and proceeds of the sales of all lands for the purposes of Education donated by the Congress of the United -

States by an Act of said Congress Approved the 15th day of February 1843. which Lands and the proceeds of the sale thereof shall be applied to the Support of Common schools in the respective townships, in which said Lands are situated and no other purpose whatever

Mr Lipsey of Dallas, moved further to amend as follows -

Amend by adding Also all proceeds of sales of estrays, fines, penalties and forfeitures and the distributive shares of the estates of deceased persons accruing in each county shall be distributed by the proper officer of the County in such manner as the General Assembly may direct.

Mr Pickback moved to lay the proposed section and the amendment on the table, but withdrew the same by Consent.

Mr Thompson of Woodruff moved to amend the amendment as follows -

All 16th Sections and parts of sections not sold in this State and all notes and claims due on account of heretofore sold sixteenth Section or parts of Sixteenth Section shall be applied exclusively to the support of free schools, in the respective Congressional Townships

On motion of Mr Johnson of Calhoun the section offered by Mr Barnes and all the amendments thereto were laid upon the table,

On motion of Mr Eakin of Humpstead, the article on Education was ordered, engrossed and made the Special order for 10 o'clock A M on Monday for 3rd readings and final passage.

Mr Flanigan Chairman of the Committee on Revision and Arrangements of the Constitution made the following report

The Committee on revision report back the article on Preamble and Bill of Rights and recommend the following Amendments to

1st That the words "the State of," be inserted before "the and Arkansas" in the first line of the Preamble and

2nd That "thirty six degrees," in the bottom line on first page of Boundaries be stricken out and "thirty sixth degree," be inserted.

3rd Insert "Parallel of," before "thirty six" in the first line of the second page

4th That the article headed "distribution of powers

to be stricken out

5th. In Section first of the Bill of rights strike out the period in the second line and all after and before "And" in the fourth line and insert "and government is instituted for their protection security and benefit".

6th. In Section second in the third line change "inalienable and inherant" so as to read "inherant and inalienable"

7th. To strike out ("Offence") in the first line of Section Eight.

8th. To strike out "of" in the ninth line and insert "and"

9th In Section ten after "as" in the eleventh line "now is or"

10th In the fifth line the word "in" be stricken out and "of" inserted

11th Strike out ("2") in brackets in the eighth line in section fourteen

All of which is submitted.

The question being put shall the amendments and corrections made by the Committee be adopted.

The question was taken and the Amendment adopted.

Upon motion of Mr Flanagan the Chairman of the Committee the Article on Boundaries and Declaration of Rights was ordered enrolled.

Mr Flanagan Chairman of the Committee on revision made the following additional Report

The Committee on Arrangements and revision have examined the Article on "Franchises" and recommend the following amendments

1st Insert "male person" to be inserted after the word "A" in the second line of section one.

2. Strike out figures and brackets including them following numbers in the Section.

3. Section third, fourth line after "felony" insert the words "at common law."

3. Section 3. first line after "Election" insert "by the people."

4. Section 6. Strike out "all" after "State" in the 9th line

which is submitted.

On motion of Mr Thomason of Crawford the article on Exemptions was taken up which was read as follows.

Exemption -- Majority.

Section 1. The personal property of any resident of this State who is not married or at the head of a family, in specific articles to be selected by such resident not exceeding in value the sum of two hundred dollars shall be exempt from seizure or attachment or sale on execution or other process from any Court.

Section. 2. The personal property of any resident of this State who is married or at the head of a family in specific articles to be selected by such resident not exceeding in value the sum of seven hundred and fifty Dollars shall be exempt from seizure or attachment or sale on execution or other process from any Court.

Section. 3. The homestead of any resident of this State who is married or at the head of a family, shall not be subject to the lien of any judgement or decree of any Court or to sale under execution or other process except such as may be rendered for purchase money, or laborers or mechanics lien for improving the same, or for taxes, or a trust fund.

Section. 4. The homestead outside of any city, town or village, shall consist of not exceeding one hundred and sixty acres of land with the improvements thereon to be selected and occupied by the owner recorded, the same shall not exceed in value the sum of two thousand dollars.

Section 5. The homestead in any city, town, or village shall consist of not exceeding one half acre with the improvements thereon, to be selected and occupied by the owner; but such homestead shall not exceed in value the sum of two thousand dollars.

Section. 6. If the owner of a homestead die leaving a widow the same shall be exempt as in Section 3, and the rents and profits shall accrue to her benefit during her natural life unless she be the owner of a homestead in her own right or elect to take dower in the lands of her deceased husband.

Section 7. The homestead of a family after the death of the owner thereof shall be exempt from the payment of his or her debts, except as excepted in section 3 during the minority of

his or her children—

Section 8. The real and personal property of any femme covert in this State acquired either before or after marriage either by gift, grant, inheritance, devise or otherwise shall so long as she may choose it and remain her separate estate and property, and may be devised bequeathed or conveyed by her the same as if she were a femme sole and the same shall not be subject to the debts of her husband.

Section 9. The General Assembly may provide for the time and mode of scheduling the separate property of married women.

Section 10. The exemptions contained in the Constitution of 1866 shall apply to all debts contracted since the adoption thereof and prior to the adoption of this Constitution.

Exempted Property

Minority

Section 11. The personal property of any resident of this State who is married or the head of a family to the value of Seven hundred and fifty dollars or if not married two hundred dollars to be selected by such resident shall be exempted from seizure or attachment or sale on execution or other process from any Court issued for the collection of any debt contracted after the adoption of this Constitution.

Section 12. The homestead of any resident of this State who is a married person or the head of a family and owns and occupies the same, not exceeding one hundred and sixty acres of land and the dwelling and appurtenances thereon, to be selected by the owner thereof and not in any town city or village or any lot in any town city or village with the dwellings and appurtenances thereon owned and occupied by said resident, shall be exempt from sale on execution or other final process from any Court, but no property shall be exempt from sale for taxes, for the payment of the purchase money, for erection of improvements or labor performed thereon, provided the benefit of the homestead herein provided for shall not extend to persons who may be indebted to the State County, township or other trust-fund.

Section 13. If the owner of a homestead die leaving a widow, but no children and who has no

separate homestead in her own right; the same shall be exempt and the rents and profits thereof shall accrue to her benefit during her natural life; provided, that if the owner leaves one or more children said child or children shall share with said widow and be entitled to half of the rents and profits accruing from said homestead during minority; such childs rights to cease at majority; and his or her share, shall revert to the younger children. When all of the childrens' rights shall cease, then all of the homestead shall inure to the benefit of the widow during her life.

Section 4. The homestead of a family, after the death of the owner thereof, shall be liable for debts during the minority of his or her children. They to share the rents and profits thereof equally whether they reside thereon or not.

Section 5. The real and personal property of any female in this State, acquired either before or after marriage, whether by gift, grant, inheritance devise or otherwise, shall, so long as she may chose be and remain the separate property and estate of such female and may be devised bequeathed or otherwise disposed of by her the same as if she were a feme sole.

Section 6. The exemptions contained in the Constitution of 1868 shall apply to all debts contracted during the existance of said Constitution.

Exemption Minority.

Section 1 Every homestead not exceeding in value the sum of $1,500.00, and the dwelling house and appurtenances thereon to be selected by the owner thereof, owned and occupied by any resident of this State, shall be exempt from seizure or sale on attachment execution or any other process from any Court, nor shall the same be subject to the lien of any judgment or decree of any Court so as to prevent the owner from selling and conveying title to the same, but such homestead shall not be exempted from sale for taxes due thereon, for the payment of obligations for the purchase of said premises or the erection of improvements thereon at the instance of the owner thereof or any trust fund; provided, that if divisable the excess of said homestead if any may be sold on liens attach on & such as may exceed $1,500.00, and provided if said homestead exceeds

$1500. in value and cannot be divided without injury thereto the whole may be sold, and the sum of $1500 paid to the owner thereof; and the residue subject to the payment of debts, provided that the owner may mortgage or otherwise encumber said Homestead if so desired.

Section 2. If the owner of a homestead as provided in the first section die, leaving a widow but no children and such widow dies no separate homestead in her own right, the same shall be exempt and the rents and profits thereof shall vest in her during her natural life; provided that if the owner leaves children one or more, said child or children shall share with said widow and be entitled to half the rents and profits till each of them arrive at twenty one years of age, each childs right to cease at majority, and the shares to go to the younger children, and then all to go to the widow, and provided that said widow or children may reside on the Homestead or not.

Section 3. The homestead of a family as provided in first section after the death of the owner there being no widow shall be exempt from payment of all debts during the minority of his or her children; they to share the rents and profits whether they reside thereon or not.

Section 4. The personal property of any resident of this state to the value of $200. or if said resident is a married person, or the head of a family, to the value of $500. to be selected by such resident, shall be exempt from seizure or sale on attachments execution or other process from any court issued for the collection of any debt.

Section 5. The real and personal property of any female acquired either before or after marriage whether by gift, grant, devise inheritance or otherwise shall so long as she may choose hereafter remain the separate estate and property of such female, and may be devised bequeathed or otherwise disposed of by her the same as if she were a feme sole, and such property shall not be liable for any debt engagement or obligation of her husband whether it be registed or not.

The latest minority report was first considered, and on motion was laid upon the table.

The remaining minority report was then taken

up. and on motion of Mr Killgore was laid upon the table.

The convention then adjourned until tomorrow morning at 8. o'clock.

Lycurgus D. Pugsley
President pro tem

Attest
Thomas W. Newton
Secretary.

Little Rock, Ark.,
August 22nd, 1874.

The Convention met pursuant to adjournment.

The Roll was called and the following named members answered to their names.

Anderson of Ice. Barnett, Bailey. Blackwell. Bates.
Bowen. Cypert of Baxter. Cypert of Izard.
Cunningham. Crowley. Chester. Carroll.
Coble. Carter. Cagle. Dorris. Dunaway.
Dodson Eakin. Edgin. Garland. Gulley
Goodson. Horne. Hampton. Harrison.
Harrison. Hopkins. Hanna. Howell. Johnson.
Killgore. Kelly. Leiker. Lucas. Lindsey
Lake. Mosley. Murphy. Miller. Nevins
Patterson. Pemberton. Pierce. Parrott Polk
Rogers. Ross. Reinhardt. Smoot.
Stanley. Scott. Sorrels. Thomason of Crawford
Thompson of Washington. Thompson.
Williams of Little River. Williams of Sparks.
Williams of Union. Walker. Witt of Mr =
President.

Those members failing to answer to their names were

Messrs Anderson of Craighead, Butler of Independence
Butler of Pulaski. Berry. Brown
Barnett. Brown. Copeland. Gibson
Doswell. Frierson. Fishback. Gibson
Hughes. Jones. Joyner. Kimsworthy
Leslie. Mayfield O'Sullivan. Perkins
Pulliam Nelson. Rutherford.
Smith of Lafayette. Smith of Saline.
Williams of Jefferson. & White.

A quorum of the Convention present.

Prayer by the Chaplain

The journal of the preceding day was read and approved

Mr's Berry, Guzer, Emerson, Butler of Independence, Chism, Anderson, & Craighead, Gibson, Kinsworthy Perkins, Butler of Pulaski, Pulliam Bacon Fishback Mansfield Doswell Hughes, Rutherford Reclor of Garland, & Williams of Jefferson appeared in their seats and answered to their names.

Mr Ross of Clark made a suspension of the rules introduced the following resolution.

"Resolved that the secretary be directed to procure Two thousand extra copies, for the use of the convention, of the report of the special committe appointed to inquire into the division and dissension in the state senate committee on auditors and Treasures Books.

which was adopted.

Mr Smith of Lafayette made a suspension of the rules introduced the following resolution. which was laid over under the rule for one day. "

Whereas Section 152 of the revenue law of the state provides that a tax of seven mills on the dollar, shall be levied on all taxable property in the state for defraying the general expenses of the state, and;

Whereas said section further provides that whenever in the opinion of the Governor, Auditor and Treasurer of state, or a majority of said officers, a lower rate of taxation than that specified, will raise a sufficient amount of revenue to defray the expenses of the state, they may make such reduction as the interest of the state will permit; and

Whereas it is the earnest desire of this convention to relieve the people from all taxes that are not absolutely necessary to carry on the state government on the most economical basis, until they are relieved from their present impoverished and suffering condition, caused by the long protracted drouth, and the stringency of the money market. therefore

Be it resolved by the delegates of the people in Convention assembled, that the Governor Auditor and Treasurer be and they are hereby earnestly requested to reduce the ... levy specified to at least five mills on the dollar for the present year. and

to notify the clerks of the several counties at once of such reduction.

Resolved that the Board of Supervisors of the several Counties be and they are hereby requested to dispense with the levying of any County tax for this year that can possibly be omitted without serious detriment to the interest of the county.

Resolved that the secretary of the Commission be directed to furnish the Officers therein named with a copy of these resolutions"

The article on Exemption was then taken up.

Mr Stone of White moved to strike out section 1.

Mr Frierson of Ouachita moved as a substitute for section 1. "The General assembly shall by law regulate the amount of personal property that shall be exempt from seizure or attachment or sale on execution or other process from any Court.

Mr. Rogers of Benton moved the previous question which was sustained. and the previous question ordered on the main question.

The "ayes and noes" were called and the call sustained.

The secretary called the roll and the following named members voted in the affirmative.

Anderson of Lee.	Anderson of Craighead	Bunch	
Bailey	Blackwood.	Bates.	Crowley
Cusick.	Carter.	Dunaway	Dodson
Eakin.	Frierson	Humphrey	Horner.
Johnson.	Joyner.	Kincannon	Pierce
Rector T. Stanley.			

Those voting in the negative were.

Butler of Independence	Butler of Pulaski.	Brown	
Barnes.	Brown,	Brock.	Cypert of Baxter
Copeland	Cunningham	Cable	Cagle.
Crisin	Dennis.	Doswell	Eagle
Flanagin	Fishback	Gibson	Galland
Gurley	Gordonier	Horne.	Harrison
Hughes	Hawkins	Hunnicutt	Howell
Kilgore	Kelley	Leiper	Lucas.
Lindsey	Lake	Mosely	Mansfield
Murphy	Miller	Osmulvan	Prentiss
Perkins	Parrott	Pulliam	Pack.

Rogers. Ross. Rutherford Reinhardt
Scott. Smith of Lafayette Orrell. Thomason
of Crawford. Thompson of Washington. Thompson
Williams of Jefferson. Williams of Little River. Williams
of Sharp. Williams of Union. White. Walker. Witt and
Mr President.

In the affirmative 21.
In the negative 62.
Not voting 8.
91

So the substitute was not agreed to.

Mr Burris of Pulaski moved to amend by striking out word "an" in the first line, and add after the word dollars in line 3. the words "in addition to his or her wearing apparel," and add after word "execution," in line 4. the word "deceit," all in Section 1

The "Ayes and Noes," were called for and the call sustained;

Mr Miller of Randolph moved the previous question, which was sustained and the previous question on being put was ordered

The roll was called and the following named members voted in the affirmative -

Butler of Independence, Butler of Pulaski, Berry. Brinson
Barnes. Brown. Bowen. Bypert of Baxter. Copeland.
Downs. Doswell. Flanagin. Grisson. Gibson.
Garland. Goodwin. Hampton. Harrison. Hanson.
Hughes. Hawkins. Jones. Lucas. Lake Mosley
Mansfield. Mersky. Nixon. O'Sullivan Patterson.
Pinkney Perkins. Parrott. Polk. Rutherford
Reynolds. Scott. Smith of Lafayette, Thomason of Crawford
Thompson. Williams of Little River. Williams of Sharp.
Williams of Union White & Mr President.

Those voting in the negative were

Anderson of Lee Anderson of Craighead. Branch Bailey.
Blackwell. Bates. Bypert of White. Cunningham
Crowley. Easter. Gabler. Carter. Eagle Ellison
Dunaway. Dodson. Eakin. Eagle. Fishback. Gulley
Howe. Hanna. Howell. Johnson. Joyner.
Killgore. Kelley. Kinsworthy. Leiper Lindsey
Miller. Price Pollham Rogers. Ross. Reeter
Stanley. Smith of Saline Sorrels. Thomason of Washington
Williams of Jefferson. Walker & Witt.

In the affirmative 45
In the negative 43
Not voting 3
91

So the amendment was agreed to -

Mr Thomason of Crawford moved to strike out the word "decree" in the Amendment first adopted.

Which was agreed to.

Mr Ross of Clark, moved to amend to add to Section 1, as follows,

Except when the defendent is about to remove himself or his effects out of the State.

Which on being put was not agreed to

Mssrs Jones, White and Copeland, appeared in their seats and answered to their names.

Mr Smith of Saline offered to amend the first Section as follows-

Add to section 1 "issued for the collection of any debt by contract."

Which was adopted-

Mr Eggert of White, offered further to amend —

Provided; that no property shall be exempt from execution for debts contracted for the purchase money thereof

Which was adopted-

Mr Rector of Garland, moved further to amend the Section add after word "personal property"

except for Drugs purchased in case of sickness.

Mr Witt of Van Buren moved to refer Section 1 with the amendments to the Committee on Schedule

Which was not agreed to-

The question then recurred upon the Amendment by Mr Rector of Garland

Which was not Agreed to -

Mr Hanna of Conway moved further to amend as follows

And provided further that the exemptions herein provided for, shall not apply to any judgement obtained upon official bonds of any public officer, nor upon forfeited bail bonds or other securities entered into in which the State is a party

Mr Thompson of Woodruff, called for the previous question

The call was sustained and the previous question ordered -

The question then recurred upon the motion of Mr Rouse of White to strike out Section 7 as amended

The Roll was called and the following named members voted in the affirmative

Anderson of Craighead. Bunch Bailey. Blackwell. Bates.
Cypert of White. Cunningham. Crowley. Crutcher. Carter. Eagle
Ehrent Dowell Dodson. Eakin. Eagle. Fishback. Fuller.
Rouse. Hampton. Hanna. Harrell Johnson. Jowers. Kelly.
Lindsey Miller. Niven. Pierce. Parrott. Pulliam.
Rogers. Ross. Reeton. Stanley. Smith of Johns. Sorrels.
Thomason of Washington. Williams of Chicot. Walker & Mr.

Those voting in the negative were

Butler of Independence. Butler of Pulaski. Berry. Brown. Barnes.
Bryant. Cypert of Bradley. Copeland. Cable Downs. Dunaway
Flanagin. Frierson. Gibson. Garland. Goodwin. Harrison
Hughes. Hawkins. Jones. Kilgore. Kinsworthy Leiper.
Lucas Lake Mosley. Mansfield. Murphy. O'Sullivan
Patterson. Pinkney Perkins. Rutherford. Scott Smith of Lafayette
Thomason of Crawford. Thompson. Williams of Jefferson
Williams of Little River. Williams of Union White & Mr President

In the Affirmative 41
In the Negative 42
Not voting 8
91

So the motion to strike out was not agreed to -

The question then recurred upon the agreement to the Section as amended -

Which on being put was agreed to -

Mr Hampton Chairman of Select Committee in charge of Printing the Constitution offered the following -

Mr President -

The Sub-Committee under instruction to procure the printing of 50,000 copies of the Constitution now being perfected by the Convention, after diligent inquiry and investigation, have arrived at the conclusion that the printing can not be done at a more economical rate than under the contract made by the Secretary of this Convention - for the printing which should be ordered during the sitting of the convention And therefore, Respectfully recommend that all Printing ordered may be done under the Contract to be made by the Secretary.

The Committee beg leave to suggest that the Number of Copies ordered might be largely reduced say to 15, or 20,000.

Mr Garland, of Nevada, moved to lay the report upon the table, and made the special order of Monday at 10 o'clock A-M.

Mr Eakin of Hempstead moved that 20,000 Copies -

be printed under the Contract made by the Secretary.

Mr Burns of Pulaski moved to say 30,000 Copies.

Which was agreed to, and 30,000 Copies ordered Printed.

The Report of the Committee was then on motion of Mr Victor of Garland adopted.

The Article on Exemption was then taken up -

Mr Fuller, of Dallas, offered the following Amendment to Section 2.

Strike out the words seven hundred and fifty and insert "Five Hundred Dollars, the necessary household and Kitchen furniture, and the wearing apparel of the family to the amount of $500.00 but such exemption shall be liable for the purchase money thereof.

Mr Burns of Pulaski offered the original section with the following Amendments

Add after the word "Dollars" in line 3 the words "in addition to his or her wearing apparel and that of his or her family;

And offered the Same as a substitute;

The "Ayes And Noes" were called for and the Call was Sustained -

The Roll was called and the following named Members Voted in the Affirmative.

Butler of Independence. Butler of Pulaski. Berry.
Bailey. Brinn. Barnes. Blackwell. Brown
Bowen. Bryant, of Baxter. Cokeland. Cunningham
Cabler. Carter, " Downs. Bowyth. Dodson.
Flanagin. Green. Fishback. Gibson. Garland
Gulley. Goodwin. Harrison. Hughes. Hawkins
Johnson. Jones. Joyner. Kilgore Logan.
Lindsey. Lake. Mansfield. Mosely. Miller
Niven. O'Sullivan. Patterson. Quinney
Perkins. Parrott. Pulliam. Rogers. Reid.
Rutherford. Scott. Smith of Lafayette. Searle
Thompson of Crawford Thornbrough. Williams of
Jefferson " Williams of Little River. Williams
of Izard " Williams " Marion. White & Mr President

The Roll was called in the negative there were

Anderson of Lee. Anderson of Craighead. Branch
Bates. Crowley. Custer Cagle. Chism
Dunaway. Eakin Eagle Helena Howell
Kelly. Kinsworthy Lisle. Price. Elston

Stanley. Smith of Saline. Thomason of Washington, Staker & Neff.

On the Affirmative 58
On the Negative 23.
Not-Voting 10
91

So the substitute was adopted -

Mr Killgore offered to amend the substitute as follows -

Amend by striking out "Seven hundred and fifty" in the 3rd line and inserting five hundred.

Mr Howell of Johnson moved further to amend as follows

Amend by striking out "five" and insert "three hundred dollars" to be selected by the head or heads of the family.

Mr Goodwin of Anson, called for the previous question,

The call was sustained and the previous question, put, and ordered,

The question then recurred upon the Amendment offered by Mr Howell of Johnson.

Which on being put was not agreed to -

The question then recurred upon the Amendment offered by Mr. Killgore, of Columbia

Mr Connor, of Pulaski, moved the previous question which call was sustained and the previous question ordered -

The "Ayes And Noes" were called for sustained and ordered -

The Secretary called the roll and the following named members voted in the Affirmative -

Anderson of Ark.	Arn.	Anderson of Craighead.	Branch	
Barton of	Pulaski.	Bailey	Brown.	Baker
Caldwell of	Baxter.	Cunningham	Crowley	Custer.
Calhoun.	Carter.	Eagle.	Chisum	Dunaway
Dodson.	Eakin.	Eagle.	Dickson.	Fishback
Gulley.	Goodwin.	Howe.	Harrison.	Hanna
Howell.	Killgore.	Kelly.	Kingsworthy	Lucas
Lindsey	Lake.	Mayfield.	Miller	Mixon
Patterson.	Pierce	Parrott.	Pulliam	Rogers
Proctor.	Stanley	Scott.	Smith of Saline.	Sorrels
Thomason of	Crawford.	Thomason of	Washington.	
Williams of	Sharp.	Yantis.	& Neff.	

Those voting in the negative were

Butler of Independence.	Brown.	Barnes.	
Blackwell.	Brown.	Downs.	Dowell.
Flanagin.	Gibson.	Garland.	Horner.
Hughes.	Hawkins.	Johnson.	Jones
Joyner.	Lecke.	Mosley.	McCarty
O'Sullivan.	Rindsey.	Perkins.	Rose.
Rutherford.	Smith of Lafayette.		Saunders.
Williams of Jefferson.		Williams of Little River	
Williams of Pike	Marion.	White of Mr. President.	

In the Affirmative 57
In the Negative 31
Not voting 9
— 97

So the amendment was adopted.

The President laid before the Convention the following Communication from the Hon Sheldon. E. Wright

Which reads as follows -

Office of Sheldon & Wright -
Law Receiving and Disbursing
Offices of the State of Arkansas

Gen'l Convention President of Kansas Constitutional
Convention Little Rock August 22nd 1874.

Believing that a little recreation would brighten the intellectual faculties and strengthen the physical forces of the members of the Convention and thereby enable them to frame a better Constitution and observing by the confusion prevailing so frequently that refreshment is necessary & therefore invite the Convention to visit Cash & Vineyard's one mile from the State House & eat grapes at their earliest convenience.

Your fellow citizen
Sheldon. E. Wright.

On motion of Mr Dowell of Jackson the Communication was received, the invitation of the Hon Mr Wright accepted and the thanks of the Convention tendered

The Convention then took a recess until 4 o'clock P.M.

After the Recess

The Convention met at 4 o'clock P.M.

A quorum of the Convention present

The President, submitted the following communication, which was read

To the Honorable, the Constitutional Convention, now in session.

In view of the following resolution amended and adopted by your Honorable body on the 20th inst, we the undersigned Practical Printers respectfully beg leave to offer the subjoined proposition, in reference to the work comprehended in said resolution.

Resolved, that the President of this Convention appoint a committee of three members to contract for printing in pamphlet form and distributing among the several Counties in proportion to their population 50,000 copies of the Constitution now being framed by this Convention. We agree to furnish, bind and deliver to your Committee any number of Copies of the Constitution now being framed by your Honorable body at the following rates—

Fifty Thousand Copies	@ 2,00
Forty Thousand Copies	2,15
Thirty Thousand Copies	1,80
Twenty Thousand Copies	1,40
Ten Thousand Copies	1,00

This calculation is upon the basis of 32 pages Brevier type 8 to line.

We facilities at our command for the speedy and prompt execution of this work are inferior to any in the State, and as to surety for the faithful performance of any Contract entered into with your Committee we hold ourselves ready to offer the most reachable that can be found. Should our proposition be entertained we are ready to meet and enter into arrangements with your Committee such as will prove satisfactory.

And we guarantee to furnish the entire number that may be contracted for, within twenty (20) days after the receipt of the last copy.

Very respectfully &c—

Chas. M. Gatewood
R. P. Hill
Geo. D. Clark.
Wm. DePriest
Sam M. Ballyman
C. C. Cameron

Mr Barnes of Clarke moved to reconsider the action of the Convention had this morning on the Printing of the Constitution.

Which was not agreed to—

Mr Anderson & Lee, moved to reconsider the action of the Convention on the motion to strike out the word "may" and insert the word "shall," in the article on Education.

The "Ayes and Noes" were called for -

The Secretary called the roll and the following named members voted in the Affirmative -

Anderson & Lee. Butler & Cedarski. Berry. Brown
Barnes. Blackwell. Brown. Cypert & Baylis
Copeland. Downs. Dunaway. Dowdell.
Flanagin. Frierson. Fishback Gibson
Goodwin. Hamilton. Horner. Gaither.
Hawkins. Johnson. Joyner. Killgore
Leiper Murphy. O'Sullivan Perkins
Polk. Coles. Smith & Lafayette
Thomason & Crawford. Thompson & Williams of
Little Piber. Williams & Union. White
- & Mr President.

Those voting in the Negative were -

Anderson & Craighead. Branch. Butler & Independence
Bailey Bates. Bowden. Baker
Cunningham. Crowley. Craton. Cabler
Carter. Eagle. Chism. Dodson Eakin
Eagle. Garland. Gulley. Harrison.
Hanna. Howell. Kelly. Kingsworthy
Lucas. Lindsey. Lake Mosley.
Mansfield. McCiller. Niven. Patterson.
Reed Parrott Pulliam. Rogers
Rutherford. Stanley Scott- Smith &
Saline. Sorrels. Thomason &
Washington. Williams & Sharp Walker
& McH.

For the Affirmative 38
For the - Negative 44
Not voting 9
91

So the motion to reconsider was lost -

Mr Dowell & Jackson moved to strike out the word "Indicted on the head of a family," in Section 2. In article on Expenditure

Mr Walker of Washington called for the previous question.

The call was sustained.

The previous question was ordered

The question was put and the Amendment was not agreed to

Mr Erkin, of Hempstead, moved to strike out Section 2.

Upon which the previous question was ordered

The motion to strike out on being put was lost.

Mr Thomason of Crawford moved to amend as follows

Insert for the collection of any debt on contract. Provided, that no property shall be exempt from execution for debts contracted for the purchase money thereof.

Mr Howe of White moved further to amend as follows

Provided no personal property shall be exempt from sale for the payment of the purchase money thereof or to satisfy a lien for work and labor performed on the same Provided, however this shall only apply while the property is in the hands of the first vendee.

Mr Dunaway of Faulkner moved the previous question

Which call was sustained and the previous question ordered.

The question then recurred upon the Amendment offered by Mr Howe

Which was carried.

The question then recurred upon agreeing to the Amendment as amended.

The question was taken and the Amendment as amended was rejected.

Mr Thomason of Crawford moved to insert Could at the commencement of the Section the words "until otherwise provided by law,,

Mr Smith of Lafayette, moved to adjourn until Monday morning.

Which was not agreed to.

The question then recurred upon the Amendment offered by Mr Thomason of Crawford.

Mr Gilmore of Columbia called for the previous question which call was sustained and ordered.

The "Ayes and Noes" were called for and ordered.

The Roll was called and the following named members voted in the Affirmative.

Anderson, Bailey, Bates. Bonham, Brawley, Breazeale, Bryan, Cunningham. Crawford, Crosby, Cureton, Culbertson, Baxter, Cothran, Carter. Dargan. Ezekiel, Fair, Gilbert, Griffith, Hamilton, Harris, Hayne, Hiott, Hutson, Kennedy, Kinard, Lindsay, Mauldin, Miller, Moss, Mullikin, Nance, Nelson, Parker, Perry, Rice, Sanders, Scott, Simpson, Smith, Stackhouse, Talbert, Thomas, Todd, Vance, Watson, Wells, Wilson, Wolfe, Young, Yeadon, Aldrich, Allen, Bamberg, Barton, Black, Blease, Brown, Buchanan, Bunch, Caldwell, Cantey, Carlisle, Cooper, Dantzler, Dennis, Dominick, Duncan, Earle, Efird, Evans, Finley, Gary, Gassaway, Gibbes, Glenn, Goggans, Hardin, Hartzog, Hendrix, Hough, Jennings, Johnson, Jones, Kibler, Lake, Lide, Lyon, McCall, McCown, McDonald, McIntosh, McLaurin, McLeod, Mann, Mauldin, Mayes, Mikell, Moore, Nicholson, Norris, Owens, Peurifoy, Pitts, Rast, Rhame, Richardson, Sapp, Seabrook, Shealy, Sligh, Smoak, Stanyarne, Stevenson, Stuckey, Thomason, Tillman, Timmerman, Tindal, Wannamaker, Watkins, Watts, Weeks, Wharton, Wideman, Williams, Wilson, Woodward, Wyndham, Young, Speaker.

Those voting in the negative were

Butler, Hendrix, Bates, Bowers, Brabham, Brunson, Cannon, Cochran, Dreher, Dukes, Epps, Fraser, Garrett, Gentry, Gilland, Gossett, Hagood, Harrison, Hodges, Hyatt, Jeffries, Kelly, Lark, Lewis, Long, Lybrand, Manning, Matthews, McCarley, McCoy, McDaniel, McGee, McLeod, Mitchell, Moody, Morrah, Nettles, Owen, Parler, Patterson, Pearce, Pelham, Price, Rawl, Rogers, Sanders, Sease, Shuler, Smith, Stoudenmire, Thompson, Tillman, Watson, Williams, Wilson, Wingard, Wolfe, Woodward, Yarborough, Yon, Young, Mr President.

On the Affirmative	84
On the Negative	45
Not Voting	12

So the Amendment was not agreed to—

The question then recurred upon the adoption of the Section as amended

The previous question was called for. And sustained and ordered.

The Roll was called and the following named members voted in the affirmative

Anderson, Bailey, Bates, Bennett, Barnes, Blackwell, Brabham, Bowers, Brunson, Cunningham, Crosby, Culbertson, Baxter, Carter, Cothran, Dargan, Earle, Efird, Finley, Gary, Gassaway, Gibbes, Glenn, Goggans, Hamilton, Harris, Hayne, Hiott, Hutson, Johnson, Jones, Kibler, Lide, Lyon, McCall, McCown, McDonald, McIntosh, McLaurin, McLeod, Mann, Mauldin, Mayes, Mikell, Moore, Nicholson, Norris, Owens, Peurifoy, Pitts, Rast, Rhame, Richardson, Sapp, Seabrook, Shealy, Sligh, Smoak, Stanyarne, Stevenson, Stuckey, Thomason, Tillman, Timmerman, Tindal, Wannamaker, Watkins, Watts, Weeks, Wharton, Wideman, Williams, Wilson, Woodward, Wyndham, Young, Speaker.

Downs Dunaway Dowell Dodson
Eagle Flanagin Frierson Fishback
Gibson Garland Gulley Gordwin
Hinse Hampton Harrison Horner
Hughes Hawkins Hyman Imes
Higgins, Vinson, Logan Lake.
Ivey. Mansfield Mansfield Leon
Johnson Bourland Pierce Perkins
Jarrett Williams Cole. Ezell & Scott
Smith & Lafayette. Smith & Miller. Thompson & Washington.
Thompson & Chicot. Williams. Little Rock Williams & Shaver
Williams & Union. White. Smith & Ark. Franklin

Those voting in the negative were -

Anderson & Lee. Bunch. Butler & Pulaski. Bates. Eakin.
Powell. Johnson. Joyner. Smith & Saline.
Thompson & Crawford.

In the Affirmative 68.
In the Negative 11
Not voting 12
91.

So the section as amended was adopted -

Mr Eagle & Mr Hale offered the following amendment

Amend section 3 by striking out the words "the" lien of any judgement or decree of any Court or to," in second line.

Which was not agreed to -

Mr Lee & Mr Hanna moved the following as a substitute for section 3.

"The homestead of any resident of this State, who is a married person, or the head of a family, and owns and occupies the same, not exceeding one hundred and sixty acres of land, and the dwelling and appurtenances thereon, owned and occupied by said resident shall be exempt from sale on execution or other final process from any Court or order thereof; shall be exempt from sale for taxes or for the payment of the purchase money, for erection of improvements or labor performed thereon; Provided, that the benefit of the homestead herein provided for shall not be extended to persons, who may be indebted to the State, County, township, or other municipal fund.

Mr Perkins of Pulaski, moved to adjourn until Monday morning

Which was not agreed to -

Mr Leiper of Dallas, moved to amend by adopting Section 3. of the Majority Report.

Upon which he called the previous question.

The Call was sustained but the previous question was not ordered

The Convention then adjourned until 8 o'clock Monday Morning at 8 o'clock.

Thomas W. Newton
Secretary.

Grandison D Royston
President Con Convention
work

Saturday
8 o'clock A.M.
August 23rd 1875.

The Convention met pursuant to adjournment

The Secretary called the Roll and the following named members answered to their names—

Atkinson, of Ike.
Independence.
Brown.
Cumming Harris.
Downs.
Fishback.
Hogue.
Hamm.
Kingsworthy
Moseley.
Pendarvis.
Pulliam.
Ogilvie.
Thomason, of Washington.
Williams, of Little River
Williams of Union

Anderson, of Craighead.
Bailey.
Bates.
Crosby.
Dunaway.
Gaither.
Hampton.
Carroll.
Lucas.
Sides.
Reese
Rogers
Scott.

Brown
Bowers.
Cutler.
Dodson.
Gentry.
Harrison.
Kilgore
Lindsey.
Stevens
Fin Kent.
Cox.
Sorels.
Thompson.

Branch. Butler of Blackwell.
Cathcart of Baxter
Carter Chism
Eagle. Frierson
Gardner.
Hawkins
Kelly.
Lake
Patterson
(illegible)
Rutherford
Thomason, of Crawford
Williams of Jefferson
Wyatt of Mr President

Those failing to answer to their names were—

Butler of Pulaski. Berry. Barnes. Cotnelius.
Crail of Boswell Eakin. Flanagin. Gibson.
Hodges. Hughes. Johnson. Jones. Lyons.

Leiper, Lewis, O'Sullivan, Polk, Keeler, Reinhardt, Smith
Murphy, Smith, J Lafayette, Smith J Salines, White
Hall Carroll, Eccles, Mansfield, Taylor J White, were excused
from attendance to day.

A Quorum of the Convention present

Prayer by the Chaplain.

Mess Eakin, Cagle & Flanagin, appeared in their seats and answered to their names.

The Journal of the preceding day was read and approved

Mess Berry, Murphy, Leiper, Butler J Pulaski, White
Cypert, Gibson, Barnes, Copeland, Polk
appeared in their seats and answered to their names

Under a Suspension of the rules, Mr Flanagin J Clark introduced the following.

Each house at the beginning of every regular session of the General Assembly and whenever a vacancy may occur, shall elect from its membership a presiding Officer, to be styled, respectively, the President of the Senate, and the Speaker of the House of Representatives; and whenever at the close of any session it may appear that the term of the person elected President of the Senate, will expire before the next regular session, the Senate shall elect another President from those members whose terms of office continue over, who shall qualify and remain President of the Senate until his succesor may be elected and qualified, and who in case of a vacancy in the office of Governor, shall perform the duties and exercise the powers of Governor as elsewhere herein provided.

An additional section on Legislative Department.

Which was adopted -

On motion of Mr Flanagin, J Clark, the 27th Section was ordered stricken from the Article on Judiciary and the Article as reported ordered to be engrossed.

Mr Fuller, of Dallas, presented the following Communication from Sheldon, E. Knight which was read and referred to the Committee on Finance.

Office of Sheldon E. Knight
State Receiving and Disbursing
Officer of the State of Arkansas

Col Fishback Chairman
Finance Committee
Constitutional Convention =

= The National Depository and Industrial Agency or Land Bank, chartered March 16th 1867 (an Editorial Notice of which is herewith subjoined from the St-Louis Times) now organized and soon to go into Operation have made arrangements for large amounts of money in Europe at very low rates of interest and if made a financial Agency of the State with some discretionary powers, will engage to furnish all the money needed until State-credit is restored and on very favorable terms, the advances made to be well provided for by special taxes &c

Please refer this to the Convention if considered by you Committee of sufficient importance

Very respectfully
Weldon E Wright-
President-
National Depository & Industrial Agency

National Depository and Industrial Agency, or Land Bank

Located at Little Rock, Ark. with privileges of branches (if desired) in other States or in Europe, This Corporation is designed to act as an entire-medium between capital and labor, or the industry of the country, as its name implies, using land as a basis of credit.

Mortgages are taken, and by assignment used as collateral security on which to raise money to be loaned to planters and others, thereby facilitating and encouraging industry.

The bank controls the crops and the other proceeds of industry, as commission merchants; disposes of the same and after reimbursing itself turns over the balance of the proceeds.

- This institution - under the management of its present board of directors, viz;

Governor Elisha Baxter, A. H. Garland, Esq, Judge U. M Rose, Judge C. J. Clendenon and Weldon E. Wright, Esq., of Arkansas, in connection with St. Louis, each of capital and reliable business qualifications - will be of incalculable advantage, using real estate almost the only solid wealth of the South, saved from the ravages of the war as a basis of credit through which to draw capital to the State.

The Charter gives privileges of insurance of all kinds including life: also to deal in Exchange and makes ample provision for the security of depositors. (They make their own by laws and may extend their capital stock to any amount, but can commence business on $500,000.

The company may issue certificates of deposit made payable to bearer or to order thus constituting a bank of issue.

Deposits are treated as temporary stock. Mortgages are taken for half the value of property, and considered stock to that amount, to be paid up by annuities of five per cent and interest.
Pledge of stock is sufficient security to borrow money (no outside security needed). Declared dividends go towards paying up stock mortgages.
For further particulars, call on the president of the company Wilson & Wright, Esq. No 570. Chestnut Street, who proposes to turn over a portion of his individual stock to live, enterprising men of St Louis at regular par value, in order to get such men interested in the enterprise.
The capital stock of $ 500.000 having been all taken, the shareholders and board of directors may increase the stock but the bank will commence business at once.

On motion of Mr Bishback of Sebastain, the article on Finance was made the special order for 9. o'clock A.M. tomorrow.

On motion of Mr Butler of Independence Mr Horner of Phillips was added to the committee on Schedule and Ordinances "

The Convention then took up the unfinished business being the resolution of Mr Smith of Lafayette suggesting the sense of the convention as to the reduction of the state Tax for 1874.

The resolution was read.

Mr Flanagin moved that the resolution lay over until tomorrow and be considered with the article on Finance

which was adopted.

Mr Eagle chairman of the committee on engrossment made the following report,

"Mr President

Your Committee on engrossment have examined article on Education. and report the same correctly engrossed.

The report of the committee was received.

The article on Education was then on motion of Mr Eakin of Hempstead taken up, and read a third time and placed upon its final passage.

The secretary called the roll and the following named members voted in the affirmative, Anderson of Lee. Anderson of Craighead Branch

Butler of Brown. Independence Bailey Dunn Blackwell
Baylis Battis Bowen. Cypert of
Carter. Cunningham Crowley. Cabler.
Dunaway. Cagle. Chism Deans.
Eagle. Dorsett. Dodson. Eakin
Gibson Flanagin Frierson Fishback
House. Garland. Gurley. Gordon
Hawkins Hampton. Harrison Hughes.
Killgore Hanna Howell. Joyner
Lindsey Kelley Leiper Lucas.
Niven Lake. Mosely. Miller
Parrott Patterson Pruitney Pierce
Rutherford Pulliam Rogers Ross
Thomason of Crawford Stanley. Scott. Sorrels
Williams of Sharp Williams of Jefferson. Williams of Union. Thomason of Washington Williams of Little River Walker. Thompson Witt and Mr President

Those voting in the negative were.

Burton of Pulaski Berry. Barnes. Copeland
Imes Murphy. Perkins. Polk.
Smith of Lafayette. and White.

In the affirmative 66
In the negative 10
Not voting 5
91

So the article on "Education" was adopted, and referred to the Committee on Revision,

Which reads as follows

Article

Education

Section 1 Intelligence and virtue being the safeguard of liberty and the bulwark of a free and good government, the State shall ever maintain a general, suitable and efficient system of free schools, whereby all persons in the State between the ages of six and twenty one years may receive gratuitous instruction

Section 2. No money or property belonging to the public School fund of this State for the benefit of schools or universities shall ever be used for any other than for those respective purposes to which it belongs.

Sec. 3. The General Assembly shall provide by general law, for the support of common schools by taxes which shall never exceed in any one year two mills on the taxable property of the State, and by an annual per capital tax of one dollar, to be assessed on every male inhabitant of

this State over the age of twenty one years. Provided, the General Assembly may by general law authorize School Districts to levy by a vote of the qualified electors of such district a tax not to exceed five mills on the Dollar in any one year for school purposes and provided further that no such Tax shall be appropriated to any purpose nor to any district than that for which levied.

Section 4. The supervision of Public schools and the execution of the laws regulating the same, shall be vested in and confided to such officers as may be provided for by the General Assembly.

Mess Jones, of Delta, and Copeland, of Crittenden, sent to the Secretarys desk the following explanation of their vote

Mr President

As there is nothing obligatory upon the Legislature to assess that amount sufficient to carry on a general system of education We vote No.

Mess Pettit & Childers, sent to the Secretarys desk the following explanation of their vote

I vote "no" for the reason that the article does not make it imperative on the Legislature to submit the question of local taxation to the people of the school districts.

The Article on Exemption was taken up

Mr White of Lawrence moved to consider the question on Saturday at 10 oclock Sec 2 in lieu of the Substitute offered by Mr Gibson of Arkansas.

Mr Williams of Stevens made the following correction to his Substitute

Strike out the word "Court" on sixth line "And shall not be subject to the lien of any judgment of any Court"

Mr Sherman of Crawford moved to suspend the rules so as to allow two minutes to each delegate in order that the matter of Exemption be discussed at length.

The question was taken and the Convention refused to suspend the rules.

Mr. Rogers of Benton moved the previous question.

The call was sustained and the previous question was ordered

The question recurred upon the adoption of substitute as offered by Mr Gibson.

The question was taken, and the substitute was lost.

The third question was then taken up.

Mr Barnes of Pulaski moved to amend as follows Section 3.
Strike out in 4th line after word "Tapes" the words or a trust fund.

Mr Thompson of Woodruff moved further to amend as follows.
Or for liabilities accruing as administrators Executors, Guardians or Trustees of Express trusts

Which was not agreed to

The question then recurred upon the amendment offered by Mr Barnes

Which on being put was rejected

Mr Brown of Clayton, moved further to amend as follows
State out all in the first line 3rd part 3rd after the word State down to the word shall in the 4th Second line.

Which was rejected.

Mr Scott of Pope, offered to amend as follows
Amend Section 3 lines, Provided that nothing in this article shall prevent the resident from selling or mortgaging the personal property exempted, or by the wife joining in the conveyance selling or mortgaging the homestead, subject to the exceptions therein made

Mr Thomason of Crawford, moved as a substitute to insert after the word "money" in 4th line sec 3 "or for specific liens"

Which on being put was adopted.

Mr Barnes of Pulaski offered further to amend as follows-
Strike out the words after Tapes in fourth line "or a trust fund" and insert "or for trusts created by Guardians, Administrators or Executors.

Mr Eaton moved to amend the amendment as follows-
Strike out of the fourth line the words "or a trust fund, and insert in stead as follows "or against Executors, Administrators, Guardians Receivers Attorneys for moneys collected by them, and other trustees of any express trust, for moneys due from them in their fiduciary capacity"

Which was accepted by Mr Barnes.

Mr Thomason of Crawford moved further to amend by inserting the words "Attorneys for moneys collected by them"

Which was accepted by Mr Eakin

The question was taken and the amendment was adopted.

Mr Oswalt of Jackson, moved further to amend by inserting "Common Carriers, Warehouse keepers and Commission merchants"

Which was not agreed to

Mr Perkins of Pulaski, moved a reconsideration of the vote had on Section 4.

Mr Smith of Lafayette, made a point of order, the motion to reconsider could not be entertained, while the article was still pending and being considered, the point of order was sustained

Mr Killgore offered the following amendment

Amend

by striking out all after "and, including the word "Provided," in the third line of 4th Section.

Mr Barnes of Pulaski

moved as a substitute the following

The Homestead outside of any city town or village shall consist of not exceeding Eighty acres of land with the improvements thereon to be selected and occupied by the owner. but it shall not be the same for the present.

The question occurred upon the amendment offered by Mr Killgore of Columbia.

Mr Reinhardt rose in his seat and answered to his name.

Mr Howe of White offered the following as a substitute for Section 4.

The homestead outside of any city town or village shall consist of not exceeding one Hundred and Sixty Acres of land with the improvements thereon; Provided the same shall not exceed in value the sum of $ 2,500, and in no event shall the homestead be reduced to less than eighty acres.

But withdrew the same by consent.

Mr Gardenier called for the previous question.

The call was sustained and ordered.

The question then recurred upon the main question.

The "ayes and noes" were called for and the call was sustained.

The Secretary called the roll and the following named members voted in the Affirmative.

Butler & Independence. Bunn. Barnes. Brown
Cunningham. Crowley. Cable. Carter. Boswell.
Eakins. Hixson. Feilbach. Gibson.
Garland. Goodgion. Horton Hughes.
Hawkins. Hanna. Joyner Kellogg.
Kinsworthy. S. Cooley. Murphy. Miller.
Knox Leinhardt. Stanley. Thomson & Crawford
Thomson, J. Washington. Williams & Jefferson.
Williams & Little River. Williams & Union
& Mr President.

Those voting in the Negative were -

Anderson & Lee. Anderson, J. Craighead. Branch.
Butler, J. Calaski. Berry. Bailey. Blackwell.
Brown. Bates. Bryant, J. Baker. Eagle.
Chiles. Dunn Dunaway. Eagle. Flanagin.
Gulley. Horne. Harrison Holwell. Jones.
Kelly. Lipsey. Lucas Lindsey. O'Sullivan
Patterson. Pittman. Price. Perkins. Prescott.
Pyllians Rogers. Ross Southerford. Smith-J
Lafayette). Speight & Talbot Tozels. Thompson
Williams & Sharp. Walker & Witt.

In the Affirmative 34.
In the Negative 43.
Not voting 14
91

So the amendment was not agreed to -

Mr Barnes & Calaski moved to strike out 160 acres and insert 80 acres.

Mr Lipsey & Dallas proposed to amend further as follows:

Insert after the word "Land in 2nd line "Not over two thousand dollars in value, and whenever such land as a homestead with all the appurtenances thereon shall exceed $2,000 then such homestead shall be reduced in domain although reserving the residence and necessary appurtenances but in no case shall the reduction include forty acres of land upon which the homestead is situated."

Mr Smith of Lafayette made a point of order that the amendment to the amendment offered by Mr Leiper was not in order or in other words not properly an amendment to an amendment

Mr President over-ruled the point of order

Mr Williams of Jefferson moved that the Convention take a Recess until 4 o'clock P.M.

Which was not agreed to -

Mr Leiper of Dallas moved the previous question.

The call was sustained and the previous question ordered

The main question being the amendment to the amendment offered by Mr Leiper of Dallas

The "Ayes and Noes" were called for and the call was sustained

The Secretary called the Roll and the following named members voted in the Affirmative were

Anderson of Craighead.	Branch.	Bailey.	Blackwell.
Brown.	Bates.	Cunningham	Cypher
Downs.	Eagle.	Harrison.	Howell.
Ingsworth.	Leiper	Lindsey.	Irion
Patterson.	Lewis.	Pillow	Rogers.
Ross.	Reinhardt.	Scott.	Smith of Walker

Those voting in the negative were -

Anderson of Lee.	Battle of Independence.	Battle of Pulaski		
Berry.	Brown.	Barnes	Bowen.	Copeland
Crowley.	Carter.	Cagle.	Chism.	Downs.
Dowell.	Eakin.	Flanagin.	Fulton.	Gibson
Garland.	Gentry.	Goodwin.	House.	Horton
Hughes.	Hawkins.	Hanna.	Jones.	Joyner
Kellogg	Kelly.	Lucas.	Mosley.	Murphy
Neal	O'Sullivan.	Ramsey.	Perkins.	Ross
Rutherford.	Stanley.	Smith of Lafayette.		
Smith of Izard	Thomason of Washington	Crawford.	Thomason of	
Williams of Little River.		Williams of Jefferson		
Williams of Phillips.				

The Affirmative 25

The Negative 54

Not voting 12

91

So the amendment was not agreed to -

On motion the Convention reconsidered the vote last had.

The Convention then took a Recess until 4 o'clock Pm

After the Recess.

The Convention met at 4 o'clock Pm.

A quorum of the Convention present.

The Article on Exemption was taken up.

The question before the Convention was the amendment of Mr Leiper of Dallas to the amendment offered by Mr. Barnes of Pulaski.

Mr Leiper of Dallas withdrew his amendment by consent.

Mr House of White then offered his amendment heretofore adopted, as an amendment to the Amendment offered by Mr. Barnes of Pulaski

Mr. Fishback called for the previous question which call was sustained, and the previous question was ordered

The question then was upon the main question, the Amendment of Mr House of White to the amendment of Mr Barnes of Pulaski.

The "Ayes and Noes" were called for and the call was sustained

The Secretary called the roll and the following named members voted in the affirmative

Anderson, Bowen. Craighead. Crittenden, Crockett, Dismukes. Driver. Eakin. Fishback. Gibson. Garland. Hamilton. Hughes. Hawkins. Kinsworthy. Mosley. Miller. Pentzer Perkins Ross. Reinhardt. Stanley, Sorrels. Thomason, Washington. Thompson - Williams, Jefferson. Williams of Union Walker Whitthorne Mr President.

Those voting in the negative were

Anderson of Lee. Beach. Butler of Hardeman Berry. Bailey. Barnes. Blackwell. Copeland. Cunningham. Eagle. Chism Dawson. Dodson. Eagle. Harrison Dozier. Harwell. Ferrell. Fitzgerald,

Kelly. Lipsey. Lucas. Lindsey. Murphy. Patterson. Perkins.
Parrott. Polk. Rogers. Smith of Lafayette. Smith of Saline
Williams of Little River. Williams of Sharp.

In the affirmative 23.
In the negative 34.
Not voting 14
71

So the amendment was adopted.

The question then recurred upon agreeing to the amendment as amended

Upon which Mr Smith of Lafayette. called for the Ayes and Noes.
Which call was sustained.

Mr Fishback called for the previous question.

The call was sustained and the previous question ordered.

The main question was then put.

The Secretary called the Roll and the following named members voted in the Affirmative

Anderson of Crawford. Brown. Brown. Brown. Baker.
Brown of Cleburne. Calhoun of White. Crowley. Cotter. Carter
Conway. Driver. Eakin. Flanagin. Frierson
Fishback. Gibson. Gatland. Goodwin. Howell
Hampton. Hawkins. Joyner. Kellogg. Hempstead
Lesley. Moore. Millican. Ross. Rutherford
Ryan, Lincoln. Stanley. Thomason of Crawford.
Thomason of Jefferson. Washington. Watkins. Williams of Walker. Williams of Sharp. Wills & Mr President

Those voting in the negative were

Anderson of Lee. Branch. Butler of Independence
Butler of Pulaski. Berry. Bailey. Barnes
Blackwell. Copeland. Cunningham.
Eagle. Chrisp. Downs. Dodson. Eagle.
Harrison. Johnson. Hughes. Hanna
Howell. Jones. Kelly. Leper. Lucas.
Lindsey. Murphy. Miller. Patterson
Prentiss. Price. Perkins. Parrott-Polk
Rogers. Thomas of Lafayette. Smith of Saline
Sorrels & Williams, of Little River.

For the Affirmative 70
For the Negative 34
Not voting 7

So the amendment as amended was lost-

Messrs Leiper of Dallas and Hughes of Monroe
sent to the Secretary's desk the following
explanation of their vote -

We vote no because
the meaning is ambiguous and does not place
a limit on the value or the eighty acres of
land.

Mr Barnes of Pulaski then offered the following
as a substitute

The homestead outside of any
city, town or village shall consist of not exceeding
one hundred and sixty acres of land with
the improvements thereon, to be selected and
occupied by the owner, provided; that the
same shall not exceed three thousand five
hundred dollars in value.

Upon which the ayes and noes were ordered.

The Secretary called the Roll and the following
named members voted in the affirmative

Anderson of Craighead. Berry. Bevens. Brown
Bowen. Cypert of White. Crosby. Carter
Dunaway. Dorsett. Eakin. Flanagin
Fishback Gibson. Garland. Goodwin
House. Horton. Hawkins. Joyner.
Kellogg. Lindsey. Mosley. Rivers
Patterson. Pulliam. Ross. Rutherford.
Stanley. Williams of Jefferson. Williams of
Little River. Williams of Union. Walker
Wells & Mr President.

Those voting in the negative were

Anderson of Lee. Bunch. Butler of Independence
Butler of Pulaski. Bailey. Barnes. Blackwell.
Bates. Copeland. Cunningham. Cable
Eagle. Ishism. Dowd. Dodson Eagle
Ekerson. Harrison. Hughes Hanna. Howell.
Jones. Kelly. Kingsworthy Leiper Lucas
Murphy. Miller. Rumney. Price. Perkins
Parker. Polk. Rogers Reinhardt
Smith of Lafayette. Smith of Saline Thomason
of Crawford Thomason of Washington
Thompson. Williams of Stark.

In the affirmative	35
In the negative	42
Not voting	14
	91

So the amendment was not agreed to -

Mr Thomason of Crawford offered the following as a substitute for section 4.

The homestead outside of any city, town or village shall consist of not exceeding one hundred and sixty acres of land, with the improvements thereon to be selected and occupied by the owner, provided that the same shall not exceed in value the sum of $. 5000 dollars, but such homestead shall not be reduced below eighty acres unless the same shall exceed 2,500 dollers in value-

Mr Leiper of Dallas moved to amend the substitute by striking out $5000 and insert $25.00, which was accepted by Mr Thomason

Mr Fishback, moved that the substitute with the amendment lay upon the table.

Upon which motion the ayes and noes were called for

The call was sustained and the ayes and noes were ordered

The Roll was called and the following named members voted in the affirmative

Bunch. Butler of Independence. Bettis of Polaski
Barnes. Blackwell. Copeland. Downs.
Dorwell. Eagle Goodwin. Hampton.
Gorman. Hazzell. Jones. Mayfield
Miller Niven. Pemberton. Perkins.
Polk. Smith of Lafayette. Thomason of Crawford

Those voting in the negative were

Anderson of Lee. Anderson of Craighead. Berry.
Bailey Brown. Brown. Bates. Bourn
Cunningham. Crowley. Cabler. Carter. Cagle
Christian. Dunaway. Dodson. Eakin.
Flanagin Frierson. Fishback. Gibson.
Gatland. House. Harrison. Hughes.
Hawkins. Hanna. Joyner. Killgore
Kelly. Kinsworthy Leiper Lucas.
Lindsey. Morley. Patterson Price
Parrott. Pullium. Rogers. Rose
Rutherford. Leonhardt Stanley. Smith of Saline
Sayres. Thomason of Washington.
Thompson. Williams of Jefferson
Williams of Williams of Sharp
Williams of Union. Walker. White & Mr President-

In the Affirmative 22
In the Negative 56
Not voting 13
71

So the motion to lay upon the table was lost.

Mr Lisper, of Dallas, moved further to amend as follows

Strike out all after dollars in 7th line and insert- "and shall not be reduced below eighty acres the value of which shall not exceed ($25.00) twenty five hundred dollars.

The previous question was called for, the call was sustained and the previous question was ordered

The main question was then put, and the amendment to the amendment was lost-

Mr Smith, of Lafayette, then moved to strike out all after the word dollars in the 7th line of the substitute offered by Mr Thomason.

Mr Garland of Nevada moved to refer the article on exemption and the amendments to the Committee on Miscellaneous provisions upon which the Ayes and noes were called for and ordered.

The Roll was called and the following named members voted on the affirmative

Bunch. Butler, of Pulaski Blackwell. Bates.
Boyce. Crowley. Carter Eakin. Garland.
Hamilton. Hodson. Joyner. Keley. Kinsworthy
Smith of Lafayette. Walker & Mr President-

Those voting in the negative were -

Butler, of Independence. Berry Bailey. Burns
Barnes. Brown. Cypert, of Cagle. White Copeland
Cunningham. Downs. Dunaway
Dowell Dodson. Eagle. Flanagin,
Ingerson Fishback Gibson. Goodwin.
House. Harrison. Hughes. Hawkins,
Howell. Jones. Fulgom Leiper. Lucas.
Lindsey Mosley. Murphy. Miller
Niven. Patterson Priestley Perkins-
Parrott- Pulliam Polk. Rogers
Ross Rutherford Reinhardt- Stanley
Smith, of Saline, Sorrels, Thomason, of Crawford.
Thondson, of Washington. Thompson.
Williams, of Jefferson. Williams, of Little River.
Williams, of Sharp. Williams of Union. & Witt-

In the Affirmative	17
In the Negative	56
Not voting	18
	91

So the motion to refer was lost-

Mr Flanagin Chairman of the "Committee on Revision" made the following report-

Mr President-

The Committee on arrangements

and revision, having had under consideration the articles headed respectively "Departments" and "Legislature" would respectfully report back the same, submitting the following amendments, to wit.

That in sec 3 under the head "Legislative" as it now reads in the 6th and 8th lines, where the words "an inhabitant" occur be stricken out and the words "a resident" substituted therefor.

That in section 7 of same article in the 5th line the words "Register or" be stricken out.

That the article headed "Legislation" be stricken out and the numbers of sections under the head "Legislative" continue from Section 1 consecutively.

That in article as it is now headed "Legislation" in the 4th line of section 4 the word "or" be stricken out and the word "and" substituted therefor.

That sections 9 & 12 be transposed.

That to avoid obscurity in section 5 under the head Legislative the words "at the seat of government" in 4th line be transposed to follow "meet" in first line - and before "allowed" in 5th line insert - "said time be."

That in the 2nd line of section 11 after the word "shall" insert the words "be sole."

That in sec 17 strike out of lines 5 & 6 the words "of the General Assembly"

And in proviso of same section instead of "is not to be construed to" insert "shall not;" and at the close, instead of "sessions before which" insert "when" -

That in section 7 (Legislation) line 5 change the words "entered into" into "made"

That in section 13 after "of" in last line insert "both houses."

That in section 17 strike out the word "any" and "any of" where indicated by pencil marks

The committee recommend that the section in regard to Presiding Officers be numbered Section 18

All of which is submitted -

Mr Killgore of Columbia moved the report of the Committee be received and the amendments concurred in -

Which was adopted, and on motion of Mr Flanagin of Clark, the article on Legislative department was ordered enrolled and printed.

The Convention at 6 o'clock and twenty minutes adjourned -

until to-morrow morning at 8 o'clock.

Spencer D Clayton
President Con Convention

Thomas M. Newton
Secretary.

Tuesday morning
8 o'clock
August 25th 1874.

The Convention met pursuant to adjournment-

The Roll was called and the following named members answered to their names.

Anderson of Lee. Anderson of Craighead. Branch.
Butler of Pulaski. Bailey. Brinn. Blackwell.
Brown Bates. Borden. Bryant of White.
Cummingham. Crowley. Crisler. Cabler.
Carter Cagle. Chism Downs. Dunaway
Dowell. Dodson. Eakin. Flanagin. Frierson
Fishback. Garland. Gulley. Goodwin. House
Hampton. Harrison. Horton. Hawkins. Hanna
Howell. Johnson. Joyner. Kellow. Kelly.
Kingsworthy Leiper. Lucas. Lindsey. Mosby
Mansfield. Moen. Patterson. Pumphrey. Perkins
Parrott. Pelham. Polk. Rogers.
Rutherford. Reinhardt. Stanley
Sorrels. Thomason, J Crawford. Thomason of
Washington. Thompson. Williams of Little River
Williams of Shark. Williams, J Union. Walker
Wells & Mr President.

Those members failing to answer to their names at the call of the Roll were

Butler, of Independence. Berry. Barnes. Copeland.
Eagle. Gibson. Hughes. Jones. Lester.
Miller. O'Sullivan. Ross. Rector. Scott-
Smith, of Lafayette. Smith, of Saline. Williams of
Jefferson & White.

A quorum of the Convention present-

Messrs Bryant of Baxter. Lake, and Mansfield were excused on account of sickness.

Mr Pierce was granted an indefinite leave of absence on account of sickness in his family.

Mr Carroll of Madison was excused on account of sickness.

A quorum of the Convention present

Prayer by the Chaplain

Mess Williams of Jefferson. Butler, of Independence. Eagle. Miller. Gibson appeared in their seats and answered to their names.

The Journal of the preceding day was then read and approved

Mess Berry. Ross. White. Scott. Barnes. Rector. Hughes appeared in their seats and answered to their names

The Article on Education was taken up.

The question being upon the Amendment of Mr Smith of Lafayette, to the Amendment offered by Mr Thompson of Crawford.

Upon which Mr Walker of Washington called for the previous question which call was sustained and ordered.

The ayes and noes were called for on the main question and ordered.

The Secretary called the roll and the following named members voted in the affirmative.

Anderson of Lee. Anderson of Craighead. Bench.
Butler of Independence. Butler of Pulaski
Blackerbell. Bates. Bynum of White. Crowley
Cabler. Carter. Cagle. Chism Dowell.
Dodson. Eagle. Gilley. Harrison. Hughes.
Howell. Kinsworthy. Leiper. Lucas. Miller
Patterson. Pendley Perkins. Parrott. Rogers
Ross. Rutherford. Sorrels. Thompson.
Williams of Jeff Sharp. Walker.

Those voting in the negative were -

Bailey. Benson. Barnes. Brown. Bowen. Cunningham
Dowds. Dunaway. Eakin. Flanagin. Frierson.
Fishback. Gibson. Garland. Gardenier. House.
Hampton. Horton. Hawkins. Hanna. Johnson.
Joyner Kilgore. Kelly. Lindsey. Mosley.
Murphy. Nixon. Pulliam. Polk. Rector.
Reinhardt. Stanley. Scott. Thomason of Crawford
Thomason of Washington. Williams of Jefferson.

Williams of Little River, White & Mc	Williams of Sumter. President.
In the Affirmative	35
In the Negative	42.
Not voting	4
	91

So the amendment to the amendment was not agreed to.

The question then recurred upon the amendment offered by Mr Thomason.

The hour of nine o'clock having arrived the President announced the special order of the day, being the article on Finance.

On motion of Mr Fishback of Sebastian, the special order of the day was postponed until to-morrow morning at 9 o'clock.

Mr Thomason of Washington moved to amend the amendment offered by Mr Thomason of Crawford. "Sec 4 - The homestead outside of any city, town or village shall consist of not exceeding eighty acres of land, with the improvements thereon to be selected and occupied by the owner".

Which was not agreed to -

Mr Rector of Garland moved to further amend

The Legislature shall exempt from sale under execution or other final process for a homestead eighty acres of land in the country or one town or City lot and personal property equal in value to the sum of ($500) five hundred dollars.

Messrs Jones and Copeland appeared in their seats and answered to their names.

Mr Johnson of Calhoun moved the previous question which call was sustained and the previous question ordered.

The main question was then the amendment offered by Mr Rector of Garland.

The Ayes and Noes were called for and the call sustained.

The Secretary called the roll and the following named members voted in the affirmative

Bates. Cagle. Fishback. Kelly. Leiper.

Becton. Smith of Saline.

The following named members voted in the negative

Anderson, J Lee. Anderson & Craighead. Branch.
Butler of Independence Butler of Pulaski. Berry
Bailey. Baum. Barnes. Blackwell
Brown Cypert of white. Copeland Cunningham
Crowley Cable. Carlo Chisum
Downs Dunaway. Doswell. Eakin
Eagle. Flanagin Frierson. Gibson
Garland Gulley. Gordon Hose
Hampton Harrison. Hymer. Hughes
Hawkins Hamm Howell Johnson
Jones. Joyner Kellgore Kincannon
Lucas Lindsey Mosley. Murphy.
Miller Niven Sullivan Pattison
Pantony Perkins Parrott, Pulliam
Polk Rogers Ross. Rutherford
Reinhardt Stanley Scott. Smith of
Lafayette Sorrels Thomason of Crawford
Thomason of Washington Thompson. Wilkins
of Jefferson. Williams of Little River Williams of Sharp
Williams of Union White Walker Izzl and Mr
President.

In the affirmative 7.
In the negative 75.
Not voting 9
91.

So the amendment to the amendment was not agreed to.

Mr Eagle called the previous question on the amendment offered by Mr Thomason of Crawford.

The call was sustained and the previous question ordered.

The ayes and noes were called for and ordered.

The roll was called and the following named members voted in the affirmative.

Anderson of Lee. Anderson of Craighead. Branch
Butler of Independence. Butler of Pulaski. Berry
Bailey. Barnes. Blackwell. Bates. Copeland
Cunningham. Cable. Carlo. Cagle
Chisum Downs. Dodson
Eagle. Harrison Howell. Jones.
Kelly. Kincannon Leiper Lucas.
Murphy Miller Pattison Pantony.
Perkins Parrott Polk Rogers
Rutherford Smith of Lafayette Doswell Thomason
of Crawford, Williams of Sharp & Mr President.

Those voting in the negative were.

Bunn.	Brown.	Bowen.	Cyphert of
White	Crowley.	Dunaway.	Doswell
Eakin	Flanagin	Friesen	Fishback
Gibson	Garland.	Gulley.	Gordwin
Stone	Hampton	Horner.	Hughes.
Hawkins	Hanna.	Johnson.	Joyner.
Kilgore	Lindsey	Mosely	Niven
Sullivan	Pulliam	Ross.	Rector.
Reinhardt	Stanley.	Scott.	Smith of
Saline.	Thomason of Washington		Thompson
Williams of Jefferson.	Williams of Little River		Williams
of Union.	White	Wilker.	Witt

In the affirmative 40.
In the negative 43.
Not voting. 8
91

So the amendment was not agreed to,

Mr Miller sent to the secretarys desk the following explanation of his vote.

"I vote aye. Because I voted aye on the proposition of the gentleman from white (Stone) under a misapprehension of its provisions

The question then recured upon the adoption of the section as amended.

The ayes and noes were called for and sustained

The secretary called the roll and the following named members voted in the affirmative.

Anderson of Craighead	Bunch	Bailey	
Bunn	Brown	Bowen	Cyphert of
White,	Cunningham.	Crowley.	Cable
Carter	Clinton	Dunaway.	Doswell
Dodson.	Eakin	Flanagin.	Friesen
Fishback	Gibson	Garland	Gulley
Gordwin	Stone.	Hampton.	Hughes
Hawkins	Hanna.	Johnson.	Joyner
Kilgore	Kinsworthy	Lindsey	Mosely
Sullivan	Pulliam	Ross	Rector
Reinhardt	Stanley	Scott	Smith of
Saline.	Sorrels	Thomason of Washington	
Thompson	Williams of Jefferson.	Williams of Union	
Walker.	Witt. and Mr President		

The following named members voted in the negative,

Anderson of Lee. Baxter of Independence Butler of Pulaski
Bliss Barnes. Blackwell. Bates. Copeland.

Downs. Eagle. Harrison. Hewson. Howell. Jones. Kelly. Leiper. Lucas.
Miller. O'Sullivan. Patterson. Pomroy. Perkins. Parrott. Polk
Rogers. Rutherford. Smith of Lafayette. Thompson of Crawford.
Williams of Little River. Williams of Sharp & White.
In the affirmative 30
In the negative 32
Not voting 9
71

So the Section as amended was adopted.

Mr Ellison of Baker sent to the Secretarys desk the following explanation of his vote

Mr President. I vote "I" because I believe the proposition now being voted upon is about the only proposition that can be agreed to by the Convention. It is not what I want—

Section 5 was then taken up.

Mr Johnson of Calhoun moved to strike out the words "but such homestead shall not exceed in value the sum of $2000.

Upon which the ayes and noes were ordered

The previous question was also ordered

The roll was called on the main question and the following named members voted in the affirmative.

Bennett. Benson. Barnes. Bowen. Cypert & White.
Carter. Dodson. Eakin. Emerson. Fishback. Gibson
Garland. House. Howell. Hopkins. Hanna
Johnson. Kellogg. Kincannon. Lindsey. Mosley.
Murphy. Pulliam. Polk. Reinhardt. Thompson
Williams J. Jefferson. Williams of Little River Williams of
Vinson. & White.

Those members voting in the negative were

Anderson of Lee. Anderson of Craighead. Butler of Independence
Butler of Pulaski. Berry. Bailey. Blackwell. Brown
Bates. Copeland. Cunningham. Crowley.
Cabler. Eagle. Ellison. Downs. Dunaway.
Eagle. Eldridge. Gadley. Goodwin. Hampton
Harrison. Hughes. Howell. Jones. Joyner.
Kelly. Leiper. Lucas Miller. Nixon
O'Sullivan. Patterson. Pomroy Perkins.
Parrott. Rogers. Ross & Rector. Rutherford
Stanley. Scott. Smith of Lafayette. Smith of
Saline Sorrels. Thompson of Crawford. Thompson
of Washington. Williams of Shark. Walker. Mr
& Mr President.

In the affirmative 30
In the negative 52
Not voting 9
91

So the amendment was not agreed to.

Mr Thomason of Crawford moved to amend to insert "5" after word "thousand" in line three section 5"

Mr Barnes of Pulaski moved further to amend Sec 5" by striking out the words "Two Thousand" and insert "Four Thousand"

The previous question was called for put and ordered

The main question was then put,
Upon which the "ayes and noes" were ordered

The Roll was called and the following named members voted in the affirmative,

Anderson of	Craighead.	Butler, of Pulaski.	Berry.
Brown.	Barnes.	Copeland.	Crowley.
Carter.	Churro.	Downs.	Goodwin
Hanna.	Johnson.	Jones.	Kinsworthy
Murphy.	Polk.	Smith of Lafayette.	
Thompson.	Williams of Union	of White.	

The following named members voted in the negative

	Anderson of Lee.	Branch.	Butler, of Independence
Bailey.	Blackwell.	Bates.	Bowen. Bryant of
White)	Cunningham.		Cabler. Demaway
Eakin.	Eagle.	Flanagin.	Frierson
Fishback.	Gibson.	Garland.	Gulley.
Jones.	Hamilton.	Harrison.	Hanna
Jowell.	Joyner.	Killgore.	Kelly.
Leiper.	Lucas	Lindsey.	Mosley.
Miller.	Rivers.	O'Sullivan.	Patterson
Pentney.	Perkins.	Parrott.	Pulliam
Rogers.	Ross.	Proctor.	Rutherford.
Reinhardt.	Stanley.	Scott.	Smith of Saline
Sorrels.	Thomason of	Crawford.	Thomason of Washington
Williams of	Jefferson.	Williams of	Little River
Williams. of	Sharp &	Walker.	

In the Affirmative 22
In the Negative 55
Not voting 14
91

So the amendment to the amendment was not agreed to—

Mr House of White, offered the following amendment to the amendment—

Section 5. The homestead in any city, town, or village shall consist of not exceeding one acre of land with the improvements thereon, provided, the same shall not exceed in value the sum of two thousand five hundred dollars and in no event shall such homestead be reduced to less than one quarter of an acre of land without regard to value.

Upon which Mr Johnson called the previous question.

The call was sustained, just, and ordered

The "ayes and noes" were ordered on the main question

The roll was called and the following named members voted on the Affirmative

Anderson, Craighead. Branch Bailey.
Bacon. Barnes. Blackwell. Brown. Bryon.
Cypert, Chisum. White. Crowley. Carter. Eagle.
Fishback. Downs. Dunaway. Eakin Flanagin
House. Gibson. Garland. Talley Goodson
Johnson. Hamilton. Hughes. Hawkins. Hanna
Lindsey. Jones. Joyner. Killgore. Kennerly
Pruitt, Smith of Saline. Morley. Murphy. Rivers. Patterson
Thompson. Rogers. Ross. Reinhardt.
Williams, of Union. Sorrels. Thomason, Washington
Those voting in the negative were Williams of Jefferson. Williams of Sharp
White & Mr President.

Anderson, Lee. Butler, of Independence. Butler of Perlaski
Bates. Copeland. Cunningham. Cabler. Doswell
Eagle. Harrison. Howell. Leiper Lucas.
Miller. O'Sullivan. Perkins. Parrott. Polk.
Rector. Rutherford. Stanley. Scott. Smith of J.
Lafayette) Thomason of Crawford Williams, of Little River
& Walker.

On the Affirmative 50
On the Negative 26
Not voting 15
91

So the Amendment to the Amendment was adopted

Mr Eagle, sent to the Secretary's desk the following explanation of his vote -

Mr President - I vote aye because it is in accord with the principle adopted for homesteads outside city and towns

Mr Thompson, of Woodruff moved to add the words "owned and occupied as a residence" to the amendments of Mr Cone of White, first adopted.

Which was agreed to -

The Amendment as amended was then adopted

Mr Leiper, of Dallas moved to strike out the words "without regard to value" from the amendment - first adopted.

The question was taken and the -

Amendment was adopted.

The Section then as amended on motion was adopted

Section 6. was then considered

Mr Smith of Salem moved to amend to insert after word widow in first line the words "but no children,"

Mr Thomason of Washington moved to amend further as follows.

"If the owner of a homestead die leaving a widow but no children, and said widow has no separate homestead in her own right the same shall be exempt, and the rents and profits thereof shall vest in her during her natural life, provided that if the owner leaves children, one or more, said child or children, shall share with said widow and be entitled to half the rents and profits till each of them arrive at twenty one years of age - each child's right to cease at majority, and the shares to go to the younger children, and then all to go to the widow, and, provided, that said widow or children may reside on the homestead or not.

Which was accepted by Mr Smith

Mr Flanagen moved further to amend as follows

And in case of the death of the widow all of said homestead shall be vested in the minor children of the destation or intestate

The question was taken and the amendment to the Amendment was agreed to -

Mr Thompson of Woodruff, moved further to amend by striking out the word "majority" in sixth line and insert "twenty one years of age"

Which on being put was adopted -

The question then recurred upon agreeing to the Amendment as amended

The question was taken and the substitute as amended was adopted as Section 6.

Mr Rector of Garland moved to refer the remaining section of the article on Exemption to the Committee on Exemptions.

Which was not agreed to

Mr Eakin of Hempstead. moved to strike out

7. & 8 & 9th Sections = Mr Flanagin called for a division of the question, the 7th Section was then put and stricken out,
The question then recurred upon striking out the 8th Section

Which was not agreed to -

Mr Lichbrack, moved the adoption of Section 8.

Mr Flanagin moved to amend to strike out all after word "property", in line 3.

Upon which question the "Ayes and Noes" were ordered

The Roll was called and the following named members voted in the affirmative.

Bunch. Bailey. Bates. Bynum. Brown. Cunningham
Crowley. Cagle. Chism. Dawson. Dinsmore
Eakin. Eagle. Flanagin. Grierson. Gulley Hanna
Johnson Leiper Mixon. Rogers. Rutherford
Reinhardt. Williams. J Letts Rowe & Watt.

The following named members voted in the negative -

Anderson J Lee. Anderson J Craighead. Butler J Pulaski
Barnes. J Blackwell. Brown. Bowen.
Copeland. Cable 2. Carter. Doswell.
Lichbrack. Gibson. Garland. Goodwin.
Gause. Harrison. Horton. Hughes.
Hawkins. Howell. Jones. Killgore.
Kelly. Kennedy Lucas. Lindsey.
Mosley. Miller. Patterson. Perkins.
Parrott. Polk. Ross. Rector.
Stanley Scott. Smith J Saline. Smith J
Lafayette. Sorrels Thompson J Crawford C.
Thompson J Washington. Thompson. Williams J
Jefferson J Williams J Shark. Williams J Union
White Walker & Mr President.

In the Affirmative 24 -
In the Negative 49
Not voting 18
91

So the motion to strike out was not agreed to

Mr Smith, J Saline, moved further to amend as follows -

Sec 8. Insert after "otherwise" in second line "when registered as herein" provided for"

Which was not agreed to

Mr Williams J Jefferson moved to strike out the word "may" and insert word "shall"

Which was adopted -

Mr Flanagin moved to adjourn until 10 o'clock tomorrow morning at 8 o'clock.

Which was not agreed to -

Mr Harrison, of Pulaski, moved to strike out Section 9.

Which was not agreed to

Mr Gibson, of Arkansas, moved that the Section be adopted, and upon which he called for the previous question

The previous question was ordered, and the Section was adopted

Section 10 was then adopted.

Mr Eagle, of Lonoke, chairman of the Committee on engrossment made the following report

Mr President -

Your Committee on Engrossment have examined Article on "Judiciary," and report the same correctly engrossed.

The report of Committee was received

On motion the Article on "Judiciary" was then read by title.

Pending the consideration of the Article on Judiciary the Convention adjourned until 10 o'clock tomorrow morning at 8 o'clock.

Thomas M. Newton
Secretary.

Speculation D Floyd Tom
President pro tempore

Wednesday
8 o'clock A.M.
August 26th 1874.

The Convention met pursuant to adjournment.

The roll was called and the following named members answered to their names.

Anderson of Lee.	Anderson of Craighead	Bunch	
Bullis of Jefferson	Bailey	Bunn.	
Blackwell	Brown	Bates	Brown
Cunningham	Conley	Custer	Caudle
Cable	Carlile	Cagle	Chism
Dunn	Dunaway	Eakin	Eagle
Flanagin	Freirson	Fishback	Garland
Gulley,	Goodwin	Hinsi.	Hampton.

Harrison Hawkins. Hanna Stroud
Johnson Hillgro Hurley. Lunsworthy
Leiper Lucas. Lindsey Mosley.
Murphy Miller Irvin Pattison
Putney Perkins Parrott. Pulliam
Ross. Rutherford Reinhardt Stanley,
Scott. Thomason of Crawford Thomason
of Washington Thompson Williams of Jefferson
Williams of Little River Williams of Chatte Williams
of Union. Walker. Witt. Vice President.

Those members failing to answer to their names were.

Berry. Barnes. Cypert of white. Copeland
Dodson. Gibson Horner. Hughes
Jones. Joyner O'Sullivan Pierce
Polk. Rodgers. Rector. Smith of
Lafayette. Smith of Dallas. Owens. White.

Mr Dodson was granted a leave of absence for a few days on account of sickness

A quorum of the Convention present.

Prayer by the Chaplain.

The journal of the preceding day was then read and approved.

Mrs. Butler of Pulaski. Barnes. Cypert of white, Rogers. Owens. Hughes. Polk
Berry Dodson. Horner. Gibson Rector
and Smith of Lafayette appeared in their seats and answered to their names

The article on Exemptions was then taken up

Mr. Scott of Pope moved to add. an additional section as follows. "The homestead provided for in this article shall inure to the benefit of the minor children under the Exemptions thereof provided, after the decease of the parents"

Which on being put was adopted.

Mr Flanagin of Clark under a unanimous consent of the convention moved to amend the first section. And the words. "which in the hands of the Vendee."

Which was adopted.

On motion the article on Exemptions was then adopted as a whole.

On motion of Mr Bunch of Carroll the article on Exemption was ordered engrossed and made the special

order for tomorrow at 9 o'clock a.m. for third reading and final passage.

Mr Flanagan of clark chairman of the committee on "an amendments and Revision made the following report.

Mr President

The committee on amendment and revision having considered the article under the head of Executive Department would respectfully submit the following changes towit;

Section 3. In the 18th and 19th lines on the second page strike out the words "for which he is a candidate" Section 5th"

In the 4th & 5th lines strike out the words "an inhabitant" and insert the words "a resident" in lieu thereof.

Section 12. In the 3d line after the word "resignation" insert the words "absence from the state"

Section 13. In the 2d line before the word "Governor" strike out the word "the".

Section 16. In the 6th line before the word remit insert the word "to"

Section 20. In the 3d line strike out the word adjourned and insert the word "special." and in the 9th line strike out the word "if"

Section 21. In the 2d line strike out the word "fair" and insert the word "full" also strike out the clause indicated by pencil mark— the same is repeated in section 22. after insertion of Secretary of State."

Sec 23. In the first line after the word cause insert the word "may" also strike out at the close all after the word "office" and insert "when the person elected to said office, at the next general election shall be duly qualified"

On motion the amendments made by the committee were concured in.

The article on Executive department was then ordered enrolled and printed.

The article on judiciary was then taken up and read the third time and placed on its final passage

The hour of nine O'clock having arrived the President announced the special order of the day being the article on "Finance".

On motion of Mr Killgore of Columbia the special order of the day was postponed until the article on Judiciary was disposed of.

The article on Judiciary was further considered: the question being shall the article on Judiciary be adopted

The roll was called and the following named members voted in the affirmative

Anderson of Lex.	Anderson of Craighead	Bunch	
Butler of Independence.	Butler of Pulaski	Berry	
Bailey	Bunn.	Barnes.	Blackwell
Brown	Bates.	Bowen.	Clyburn of
White,	Copeland.	Cummingham.	Crowley
Custer,	Carroll.	Cabell.	Carter
Eagle.	Clusin	Dunaway	Eakin
Eagle.	Prisom	Fishback	Gibson
Garland	Gulley.	Gordwin	Grose,
Hampton.	Hudgins	Homer.	Hughes
Hawkins	Hamm.	Howell.	Johnson
Kilgore	Kelley.	Kinsworthy	Leiper
Lucas.	Lindsey	Mosely	Murphy
Miller	Pulliam	Pattison	Pinthey
Perkins	Pigott.	Pulliam	Polk
Rogers	Ross.	Rector.	Rutherford
Reinhardt	Stanley	Scott.	Smith of
Palmer	Sorrels.	Thomason of	Crawford
Thomason of Jefferson.	Washington	Thompson.	Williams
Sharp	Williams of	Little River	Williams of
and Mr President	Williams of	Union	Walker Pitt

Those voting in the negative were.
Dennis of Clicot.

On Motion of Mr Kinsworthy of Sevier the Article on "Agriculture and Manufacture" was taken up.

Mr Thomason of Washington moved to strike out sec. 1. but withdrew it by consent.

Mr Flanagin moved to strike out all after the words "Capitol of the state" in line 2. sec 1.

Mr Garland of Nevada moved to strike out the word "involved"

which was adopted.

Mr Garland of Nevada moved to strike out in first line "five years and thereafter"

which was adopted.

Mr Thomason of Crawford moved to strike out

the words from "time to time" in first line.

which was adopted.

The first two lines as amended were on motion of Mr Cypert of White made a part of the first section.

Mr Eakin of Hempstead, moved to strike out the words "by creating" in line 1, and insert the words "may create,"

which was adopted

Mr Flanagin of Clark withdrew his motion to amend

Mr Leiper, of Dallas, moved to insert the word "Manufacturing" after the word "Mining" in line 7.

Which was "adopted"

Mr Smith of Lafayette moved to strike out "the words to be located at the capital of the State"

Mr Rector, of Garland, moved to strike out all after the first line.

Which was adopted.

Mr Thompson of Crawford moved to strike out the word Legislature in first section and insert the words "General Assembly."

Mr Leiper, of Dallas moved to reconsider the vote had on Section 1.

Which was not agreed to -

Mr Smith of Lafayette moved to insert after the word State the words and "Confirmed by the Senate"

Mr Leiper, of Dallas moved further to amend as follows.

Strike out in first line all after the words "filled by appointment" by the Governor and insert "by election by the General Assembly."

Mr Smith of Lafayette made a point of order that the amendment offered by Mr Leiper of Dallas, was not an amendment to an amendment."

The point of order was overruled

The question then recurred upon the amendment to the amendment=

Which was not agreed to

Mr Eakin offered the following as a substitute for the section as follows

Sec. 2. The General Assembly when deemed expedient may create the Office of State Geologist, to be appointed by the Governor, by and with the advice of the Senate; who shall hold his office for such time, and perform such duties and receive such compensation as may be prescribed by law. Provided that he shall be at all times subject to removal by the Governor, for incompetency or gross neglect of duty.

Mr Smith, of Lafayette withdrew his amendment by consent

Mr Cypert of White called for the previous question

The call was sustained and the main question ordered

The question was taken and the substitute offered by Mr Eakin was adopted

Mr Leiper, of Dallas moved to insert the words "who shall be chief of Bureau"

Which was not agreed to

Mr O'Sullivan, of Pulaski moved to amend Section 2 as follows

The chief of the Bureau of Mining, Manufactures & Agriculture shall be of recognized scientific attainments in one and all of the interests intrusted to his supervision, he shall be appointed by the Governor and confirmed by the Senate, and shall hold his office subject to conditions which may be prescribed by the General Assembly

Mr Killgore, of Columbia moved to strike out Section 2

Upon which motion the "ayes and noes" were called for and the call was sustained

The Secretary called the roll and the following named members voted on the affirmative

Butler, of Pulaski	Blackwell.	Bates.	Copeland.	Carter -
Cagle J.	Cagle	Gibson	Hanna.	Jones.
Killgore	Lindsey.	Patterson.	Perkins.	Polk.
Scott.	Thomason of Washington.	Williams, of Little River	Williams, of Union	& Walker.

Those voting in the negative were -

Anderson, of Lee.	Anderson, of Craighead.	Branch.	Bailey.	Brown
Barnes.	Brown.	Cypert of White.	Cunningham	Crowley
Carroll.	Cable.	Chism.	Downs.	Dunaway
Eakin	Flanagin.	Frierson.	Fishback.	Garland.
Gidley	Hodge.	Harrison.	Hughes	Hawkins.
Howell.				

Kelly. Kingsworthy. — Leiper. Lucas. Mosley. Murphy
Miller. Rivers. O'Sullivan. Pennebaker. Parrott
Pullam. Rogers. Ross. Rolston. Rutherford.
Reinhardt. Stanley. Smith, of Lafayette. Smith, of
Saline) Sorrels Thomason, of Crawford. Thompson
Williams, of Jefferson Williams, of Sharp. Williams, of
Union Mr President. 8

In the affirmative 19
In the negative 58
Not voting 14
91

So the motion to strike out was not agreed to

The question then recurred upon the adoption of the amendment offered by Mr O'Sullivan of Pulaski.

The question was taken and the amendment was rejected

On motion of Mr Fishback, of Sebastian Section 3 was taken up.

Mr Hughes, of Monroe, offered a substitute for Section 3 as follows—

The capital stock, materials, buildings and building sites, of manufacturing companies in this State, used in the manufacture of cotton and woolen goods, in mining and blast furnaces in establishments for the manufacture of leather and furniture, shall be exempted from taxation, for a period of ten years from the date of the ratification of this Constitution.

Mr House of White moved to strike out the Section

The Convention then took a recess until 4 o'clock P.M.

After the Recess

The Convention met at 4 o'clock P.M.

A quorum of the Convention present—

The article on Agriculture and Manufactures being under consideration, the question recurred upon the motion of Mr House of White to strike out Section 3.

Mr Hawkins, of Ashley moved the previous question. The call was sustained and the previous question ordered—

The "ayes and noes" were called for on the main question, and the call sustained—

The Secretary called the roll and the following named members voted in the Affirmative,

Anderson, of Lee. Branch. Bailey. Blackwell. Bates. [illegible]
Cypert, of White Cunningham. Crowley. Cagle [illegible]
Dorsett. Eagle. Flanagin. Galley. House. [illegible]
Hanna. Harrell. Hilly. Lindsey Miller [illegible]
Rutherford. Smith, of Saline. Thomason, of Ouachita
Williams, of Little River. Williams, of Sharp Wilson.
Vinson & Walker.

Those voting in the negative were —
Berry. Bunn. Barnes Brown. Copeland Cecil. [illegible]
Carter Chism. Downs. Eakin Frierson. Fribarger
Gibson. Garland. Goodwin. Hughes. Hawkins. [illegible]
Killgore. Kinsworthy Leiper. Morley Murphy. [illegible]
O'Sullivan, Patterson. Printup. Perkins. Pullen. [illegible]
Ross. Rector. Reinhardt Stanley. Scott.
Smith, of Lafayette Sorrels. Thomason, of Craighead
Thompson. Williams, of Jefferson. Witt & McPherson.

In the Affirmative	31
In the Negative	43
Not voting	17
	91

So the motion to strike out was not agreed to —

Messrs Jones, Copeland, Berry & Butler sent to the Secretary's desk the following explanation of their vote —

Believing as we do that our State is far behind her Sister States, in the encouragement of Manufactories of every description that they are the life blood that pervades other States and in advance of our own, and that an exemption from taxation of Manufactories for a period of ten years, would greatly build up the interests of the people, and result in a fruitful source of income to the government during time to come, and increase to its population, therefore voted.

Mr Killgore, of Columbia, moved further to amend as follows:

That all capital invested in establishments for manufacturing cotton and woolen goods, leaf tobacco, agricultural machines or implements, furniture, leather, paper and blast furnaces, shall be exempt from taxation for a period of seven years - Provided, that such manufacturing establishments shall use only material, grown, made or obtained in this State and provided, further that at the expiration of the time specified said manufacturing establishments shall be taxed as other property in the State.

Upon which Mr Dorsett, of Jackson moved the previous

question which motion was sustained and the previous question ordered.

The main question was then put being the amendment of Mr Killgore to the amendment offered by Mr Hughes of Monroe.

The "ayes and noes" were called for on the previous question

The Secretary called the roll and the following named members voted in the affirmative.

Anderson of Lee.	Bunch.	Butler of Independence.	Bailey
Cypert of White.	Doswell.	Flanagan.	Goodwin.
Hoover.	Hampton.	Harmon.	Killgore
Miller.	Parrott.	Rogers.	Ross.
Rutherford.	Stanley.	Smith of Saline.	
Williams of Little River.		Walker & Mr President.	

Those voting in the negative were

Anderson of Craighead.	Barnes	Blackwell.	Brown
Bates.	Bowen.	Copeland.	Cunningham.
Crowley.	Custer.	Cabler.	Carter. Cagle
Chism.	Downs	Dunaway	Eakin. Engle.
Frierson.	Fishback.	Gibson.	Garland. Gulley
Harrison.	Hughes.	Hawkins.	Hanna. Hazzell
Jones.	Kelly.	Knoxworthy.	Leiper. Lindsey
Mosley.	Markham.	Nixon.	O'Sullivan
Patterson.	Pinkney.	Perkins.	Pulliam
Polk.	Rector.	Reinhardt.	Smith of
(Lafayette)	Sorrels.	Thomason of	Crawford
Thomason of	Washington.	Thompson.	Williams of
(Jefferson)	Williams of	Sharp.	Williams of Benton
& Witt.			

In the Affirmative 22
In the Negative 54
Not voting 15
91

So the amendment to the amendment was not agreed to.

Mr Pulliam of Sebastian moved further to amend as follows-

Sec 3- The General Assembly may exempt by general law from taxation, for the term of seven years, the capital invested in mining and manufacturing, under such regulations and restrictions as may be prescribed by law.

Upon which Mr Hawkins of Ashley called the previous question.

The call was sustained and the previous question ordered.—

The "Ayes" and "Noes" were called upon the main question and ordered.

The Secretary called the roll and the following named members voted in the Affirmative -

Anderson of Lee. Anderson of Craighead. Branch. Butler of Independence
Bailey. Bunn. Blackwell. Bates. Bowen.
Bryant of White. Cunningham. Crowley. Cabler.
Carter. Cagle. Chrisco. Dunaway. Doswell.
Eakin. Eagle. Flanagin. Frierson. Fulkerson.
Goodwin. Horne. Hampton. Hoover.
Hanna. Howell. Joyner. Kelley.
Lindsey. Miller. Parrott. Pulliam
Rutherford. Scott. Smith of Saline
Thomason of Crawford. Thomason of Washington.
Williams of Little River. Williams of Sharp. Williams of Union
Walker & Mr President.

Those voting in the negative were -

Berry. Barnes Brown. Copeland. Custer. Downs.
Fishback. Gibson. Garland. Harrison. Heights.
Hawkins. Jones. Killgore. Kinsworthy Leiper
Mosley. Murphy. Nixon. O'Sullivan. Patterson
Quarterly. Perkins. Polk. Rogers. Ross.
Rector. Reinhardt. Stanley. Smith of Lafayette
Sorrels Thompson. Williams of Jefferson
& Wilson.

In the Affirmative	44
In the Negative	34
Not voting	13
	91

So the amendment to the amendment was agreed to -

Mr Barnes of Pulaski moved to strike out the word "May" and insert "shall" in the amend= =ment just adopted -

Upon which the previous question was called for and ordered.

On motion of Mr Fishback, of Sebastian, the Convention then adjourned until to-morrow morning at 8 o'clock

Thomas M. Newton
Secretary

Granderson D Thompson
Assistant Chief Enrolling
Clerk

Thursday
8 o'clock am
August 27th 1874.

The Convention met pursuant to adjournment—

The Roll was called and the following named members answered to their names—

Anderson, of Lee. Anderson, of Craighead. Branch.
Butler, of Independence Bailey. Brown.
Blackwell. Brown. Bates. Bowen.
Colpert, of White. Cummingham, Crowley.
Christer. Carroll. Cabler. Carter. Cagle
Chism. Downs. Dennaway. Eakin. Eagle
Flanagin. Frierson. Fishback. Garland Gulley
Goodwin Howell. Hampton. Harrison
Hughes. Hawkins. Hanna. Howell
Lollyore. Kelly. Kenworthy Lisper
Lucas. Lindsey. Lake. Mosley.
Murphy. Miller. Nixon. O'Sullivan
Patterson. Pantney. Perkins Parrott
Pulliam. Boyce. Ross. Rutherford.
Reinhardt. Stanley. Smith of Sulvine.
Thomason of Washington. Thompson.
Williams, of Jefferson. Williams of Little River
Williams of Sharp. Walker & Mr President—

Those members failing to answer to their names at the call of the roll were—

Berry. Barnes.
Copeland. Boswell. Gibson. Horton. Jones.
Joyner. Polk. Rector. Scott. Smith of
Lafayette. Sorrels. Thomason of Crawford
White & Webb.

A quorum of the Convention present—

Mr Williams of Union was excused on account of sickness—

Mr Butler, of Pulaski, was also excused.

Prayer by the Chaplain.

The journal of the preceding day was then read and approved—

Messrs Berry. Barnes. Gibson. Horton. Sorrels
Polk. Scott. Smith of Lafayette.
Thomason of Crawford & Rector of Garland
appeared in their seats and answered to their names—

The Article on Exemption was then taken up—

On Motion Mr Barnes of Pulaski was permitted to withdraw his motion made on yesterday to strike out the word "may" and insert "shall" to the amendment adopted made by Mr Pullian of Sebastian -

Mr Barnes of Pulaski made the following additional amendment

Sec 8., That all capital exclusively invested in erecting manufac= =turing establishments and machinery for manufacturing of cotton and woolen goods, tobacco, agricultural machines implements of husbandry, wooden and hollow ware, furniture, leather, salt, tanning and blast furnaces shall be exempted from taxation for the term of seven years from and after the adoption of this constitution and not afterwards.

Mr White of Phillips, appeared in his seat and answered to his name -

Messrs Copeland & Jones answered to their names

Mr Williams of Sharp called for the previous question upon the amendment offered by Mr Barnes

The call was sustained and the previous question ordered

The "ayes and noes" were ordered on the main question

The roll was called and the following named Members voted on the Affirmative -

		Brunn.	Barnes.	Brown
Copeland.	Cowlie.	Carroll.	Clayson.	Downs.
Frierson.	Frishback	Gibson.	Garland.	Hampton
Hughes	Hawkins.	Jones.	Killgore	Kensworthy
Kelper	Lake.	Mosley.	Murphy.	Nevin
O'Sullivan.	Patterson	Pumphrey.	Perkins.	Rogers
Ross.	Proctor.	Reinhardt.	Stanley.	Smith of
Lafayette	Sorrels	Thompson.	Williams of	
Jefferson	Webb &	Mr President.		

Those voting in the negative were -

Anderson of Lee.	Anderson of	Craighead.	Branch
Butler of Independence.		Bailey.	Blackwell.
Bates of	Bowen.	Cypert of White.	Cunningham
Crowley.	Baber.	Carter.	Eagle.	Dunaway.
Eakin.	Eagle.	Flanagin.	Fulley.	Gordeier
Horne.	Harrison	Conner.	Hanna.	Howell.
Kelly.	Lucas.	Lindsey	Miller.	Parrott.
Pullian.	Rutherford	Scott	Smith of Saline.	
Thomason of	Crawford.	Thomason of	Washington	
Williams of	Little River.	White &	Walker.	

In the Affirmation 38
In the Negation 39
Not voting 14
91

So the amendment to the amendment was not agreed to

The question then recurred upon the adoption of the section as amended by the amendment offered by Mr Pulliam & Sebastian.

Upon which the previous question was ordered.

The "ayes and noes, were ordered on the main question

The Roll was called and the following named Members voted in the affirmative

Anderson of Lee. Anderson of Craighead. Bench
Butler of Independence. Bailey. Blackwell.
Bates of Benton. Bryant & White. Cunningham
Crowley. Cabler. Carter. Eagle. Dunaway.
Eckert Eagle Flanagin Frierson. Gulley
Goodwin. Howe. Horton. Hanna. Howell.
Kelly. Lucas. Miller Niven. Parrott
Pulliam. Rutherford. Scott. Smith of Lafayette
Smith of Salem. Thomason of Crawford.
Thomason of Washington. Williams of Little River
Williams of Sharp & Walker.

Those voting in the negative were

Berry. Barnes. Brown. Copeland. Custer
Carroll. Chism. Downs. Fishback
Garland. Hampton. Harrison Hughes
Hawkins. Jones. Fullgore Kinsworthy
Leiper Lake. Mosley. Murphy
O'Sullivan. Patterson. Pumphrey. Perkins
Rogers. Ross Proctor. Reinhardt
Stanley. Sorrels. Thompson. Williams of
Jefferson) Witt & Mr President.

In the Affirmative 42.
In the Negative 34
Not voting 15
91

So the section as amended was adopted.

Mr Smith of Lafayette, gave notice that on to-morrow, he should move to reconsider the vote just had on Section 3.

Mr Thomason of Crawford offered the following as a substitute for the whole article.

Agriculture, Mining and Manufactures.

The General Assembly shall enact such laws as will foster and aid the Agricultural, Mining and Manufacturing interests of the State, and to this end may by law exempt from taxation such capital invested therein for any term not exceeding ten years from the adoption of this constitution.

The question was taken and the substitute was rejected.

Mr Thompson of Woodruff offered the following as an additional section.

Any act granting special rights or privileges which may be passed by the General Assembly under the provision of the preceding section, shall not be repealed or impaired during the period for which such rights or privileges may be granted.

Upon which the ayes and noes were ordered.

The Secretary called the roll and the following members voted in the affirmative.

Barnes,	Brown.	Bates,	Carroll.	Eakin,	Frierson
Fishback.	Gibson	Hughes.	Hawkins.	Jones	Kellgore
Kinsworthy	Leiper	Lake	Murphy	O'Sullivan.	Patterson
Perkins.	Rogers	Ross	Rector	Rutherford	Reinhardt
Stanley	Sorrels	Thompson.	Witt + Mr President		

And the following members voted in the negative,

Anderson of Lee.	Anderson of Craighead.	Branch.	Butler of	Independence.
Bailey.	Bunn.	Blackwell.	Brown	Upert.
Cunningham.	Conley.	Cubler,	Carter	Eagle.
Downs.	Dunaway.	Eagle.	Flanagin	H. D.
Goodwin.	Hauser	Harrison.	Horner	Hanna.
Horrell.	Kelly	Lucas.	Lindsey	Mabry
Miller.	Parrott.	Pulham.	Scott	Smith of Lafayette
Smith of Calhoun.	Thomason	of Crawford	Thomason of Washington.	Williams
of Jefferson	Williams of Little River.	Williams	of Izard.	Walker

In the affirmative	29
In the negative	41
Not voting	21
	91.

So the additional section was rejected.

Mr Flanagin of Clark offered the following additional section,

Exemptions from taxation shall be limited to seven years after the adoption of this constitution and may apply to one or more kinds of manufactures, without extending to all kinds.

Which was adopted.

On motion of Mr Fishback of Sebastian the title of the Article was changed to add the word "Mining."

The Article was then adopted as a whole and referred to the committee on engrossment.

Mr Eagle of Lonoke, Chairman of the committee on Engrossment made the following report.

Mr President, Your committee on Engrossment have examined Article on "Exemption" and report the same correctly engrossed.

The report of the committee was received.

The Article on Exemption was then read the third time and placed on its final passage.

The Secretary called the roll and the following named members voted in the affirmative.

Anderson of Lee.	Branch,	Butler of Independence		
Bailey	Bunn	Brown.	Brown.	Cypert of Whites.
Cunningham,	Crowley	Carroll.	Cobler	Carter. Eagle.
Chisom	Dunaway	Eakin.	Eagle	Flanagin. Grisson
Fishback.	Gibson.	Garland.	Gulley	Hance Hampton
Harrison	Harmon.	Hughes	Hawkins	Hanna. Harrell
Kilgore.	Leiper	Lucas.	Lindsey.	Worley Niven
Patterson	Quinney.	Parratt.	Pulliam	Ross. Rector
Reinhardt	Stanley.	Scott.	Smith of Saline.	Sorrels
Thomason of Washington		Thompson.	Williams of Jefferson.	
Williams of Little River.		Walker	Mitt.	Mr President

Those voting in the negative, were;

Barnes	Blackwell.	Bates.	Dorris	Jones. Lake
Murphy.	Sullivan	Perkins.	Smith of Lafayette.	
Thomason of Crawford.				

In the affirmative	56
In the negative	12
Not voting	13
	91.

So the article on Exemptions was adopted and referred to the Committee on Revision and arrangement, under the rule.

The President here laid before the Convention the following communication which on motion of the Editor of Kimpstead was laid upon the table.

Little Rock, Ark. Aug 26.

To the Hon Granville D Royston
President Arkansas Constitutional Convention

In view of the following resolution, amended and adopted by the Honorable Convention of the State of Arkansas, on the 20th inst, we the undersigned Practical Printers of this city, respectfully beg leave to offer the subjoined proposition in reference to work comprehended in said resolution and amendments.

Resolved. That the president of this convention appoint a committee of three members to contract for printing in pamphlet form, and distributing among the several counties in proportion to their population, 50000 copies of the constitution now being framed by this convention.

As the above resolution was amended by striking out '50' and inserting '30' thousand copies, the propose to do, on forty-five pound paper to the ream such as heretofore used in the legal publications of the State,

30.000 copies - for — $1.100.—

This calculation is on the basis of thirty two pages, brevier type, octavo size.

The facilities at our command for the speedy and proper execution of this work are superior to any in the state, and as to surety for the faithful performance of any contract entered into with your committee, we hold ourselves ready to offer the most acceptable that can be found.

Should our proposition be entertained, we are ready to meet and enter into arrangements with your committee such as will prove satisfactory; and we guarantee to furnish, in three days after receiving the last copy, five thousand completed copies, and five thousand each day succeeding until the whole number is furnished.

As to the character of the work which we propose to do, we refer to you as a sample, Gantt's Digest of the Statutes of Arkansas.

The accompanying affidavit is given in refutation to the charge that the Little Rock Printing and Publishing Company was interested in this proposition.

Phil. W. Gatewood. R. W. Webb.
Geo. D. Clark. Sam. W. Hollyman
Hy. De Priest T. J. Jamieson

State of Arkansas
County of Pulaski. }

We the undersigned each and severally swear and affirm that the Little Rock Printing and Publishing Company has no kind of interest in the proposition made by us for printing the pending constitution for the State of Arkadeas.

Phil. W. Gatewood
R. W. Webb
Geo. D. Clark
Saml W. Hoffman
Hy DePriest
T. J. Jamieson.

Subscribed and sworn to before me, W. K. Fulton a Justice of the Peace for Big Rock Township, Pulaski County, this 26th day of August 1874.
W. K. Fulton. J.P.

The article on Finance and Taxation was then taken up.

On motion of Mr Rector of Garland the article on Finance and Taxation was referred to the committee of the Whole.

The convention thereon motion went into the Committee of the whole to consider the article on Finance just referred.

Mr Williams of Jefferson was called to the chair.

The Committee of the whole arose at 12 o'clock and 35 minutes and made the following report.

Mr President.

The Committee of the whole have had under consideration, the Article on Finance, and instruct me to report the same back to the Convention without recommendation, and asked to be discharged.

The report of the Committee was received.

The convention then took a recess until 4 o'clock P.M.

After the Recess

The convention met pursuant to adjournment.

A quorum of the convention present.

The President submitted to the convention the following communication.

"We the officers of the County of Clark, at the request of the citizens of our county, endorse and transmit the following, to wit:

To the Constitutional Convention, now in session in Little Rock.

We respectfully represent to your honorable body, that the long drought has cut off the crops of corn and cotton in many portions of the state.

This leaves the people without provisions or any means with which to buy, and without credit. Your attention is called to this condition of the county and you are respectfully asked to take such steps as your wisdom may dictate for its relief, and devise such plans of relief as may be for the best interest of the whole people.

We suggest,

1st. The suspension of the collection of taxes, for next year to attempt to collect would result in confiscation.

2nd The devising some plan for obtaining supplies for the coming year - even to make direct application to the General Government.

3rd. The appointment of a State Central Committee to carry into execution such plans as may be devised by your body.

D J McDonald
P B Supervisors, C.C.
T. H Heard,
County Clerk
Joe H. Stewart
Circuit Clerk."

Mr Flanagin moved that the memorial be referred to a special committee,
which was adopted.

The President appointed as such committee, Messrs, Flanagin. Thomason of Crawford. Killgore Rutherford, and Crowley.

The Article on Finance was then taken up.

Mr Fishback moved that Section 1, be adopted.

Mr Thomason of Crawford moved to amend, to strike out the words "or issue its bonds or interest bearing evidences of debt" in second line, Sect 1.

Upon which amendment the ayes and noes were called for.

Mr. Rogers called for the previous question. The call was sustained and the previous question ordered.

The Secretary called the roll and the following named:

members voted in the affirmative.

Anderson of Lee, Anderson of Craighead. Bunch.
Butler of Independence. Bailey. Dunn. Blackwell
Brown. Cypert of White. Cunningham. Crowley
Custer. Carroll. Cabler. Carter Cogle, Chism
Dowell. Eakin. Eagle. Flanagin. Erickson. England
Goodwin Horne. Hampton. Harrison. Horner Hughes.
Hawkins. Hanna. Howell. Joyner. Hillgore. Kelly
Lucas. Lake. Mosley. Miller. Niven Patterson
Pantney. Parrott Rogers. Rose. Reinhardt, Smith
of Clive. Thomason of Crawford. Thomason of Washington
Thompson. Williams of Little River. Williams of Sharp.
Walker. Mr President.

Those voting in the negative were.

Barnes. Bates. Bowen. Copeland. Downs. Dunaway
Fishback. Gibson. Leiper Lindsey Murphy. Perkins
Pulliam Rector Rutherford Stanley Smith of Lafayette
Sorrels Williams of Jefferson. Witt.

In the affirmative	54
In the negative	20
Not voting	17
	91.

So the amendment was agreed to

Messrs Scott and Gulley were excused, being Engaged in examining the journal.

Mr Harrison of Yell offered the following amendment.

Add to the Section. 1.

Nor shall any city. county, town or other municipality in this state ever issue any interest bearing evidences of debt.

Upon which the ayes and noes were called for and ordered.

The roll was called by the Secretary and the following named members voted in the affirmative

Anderson of Craighead. Bunch. Barnes. Brown. Bates
Copeland Cotes Dunaway. Eagle. Flanagin. Fishback
Gibson. Harrison. Hawkins. Hanna. Howell. Jones
Joyner Leiper Lindsey Lake Murphy. Miller
Patterson. Pulliam Rogers Rose. Rector. Rutherford
Reinhardt. Smith of Lafayette. Sorrels. Thomason of Washington
Williams of Little River. Walker. Witt. Mr President.

Those voting in the negative were,
Anderson of Lee. Butler of Independence. Bailey. Dunn

Blackwell. Brown. Cyfert of White. Cunningham. Carter
Carroll. Cagle. Chism, Norris. Dodwell. Eakin
Ericson. Fulcard. Goodwin. House. Hampton. Horner
Hughes Hillgore. Kelly. Kinsworthy Lucas. Morley
Niven Pantney Perkins. Parnell Stanley
Smith of Saline. Thomason of Crawford. Thompson
Williams of Jefferson Williams of Sharp.

In the affirmative	34
In the negative	34
Not voting	17
	91.

So the amendment was not agreed to.

Mr Eakin moved a reconsideration of the vote just had, in order that Mr. Cabler might be allowed to vote.

Mr Cyfert of White asked for a call of the convention on the rules.

The call was made, and proceeded with.

Pending the call Mr Smith of Lafayette moved that the further call of the roll be dispensed with.

Which was agreed to

The motion to reconsider was then put and carried

Mr Thomason of Crawford moved to amend as follows

'Nor shall ~~any~~ the state or any county, city, town or municipality ever issue any interest bearing evidence of debt, Except such bonds as may be necessary to provide for the payment of outstanding indebtedness provided, that the state shall not be prohibited from issuing such bonds as may be necessary to raise funds to defray the necessary expenses of the government'

Upon which the ayes and noes were ordered.

Pending the discussion of the amendment offered by Mr Thomason of Crawford, the convention adjourned until to-morrow morning at 8 o'clock.

Thomas M. Newton
Secretary

Granville D Royston
Miscellaneous Enrolling
Clerk

Friday
9 o'clock A.M.
August 28th 1874.

The Convention met pursuant to adjournment.

The roll was called and the following named members answered to their names.

Anderson of Lee. Anderson of Craighead. Branch. Butler of Independence. Butler of Pulaski. Bailey. Blackwell Bates. Brown. Cypert of white. Cunningham. Crowley Custer. Carroll. Cobler. Carter. Cagle. Chism. Downs. Dunaway. Eakin. Eagle. Flanagin. Fishback Garland. Gulley. Goodwin. House. Hampton. Harrison Hughes. Hawkins. Hanna. Howell. Johnson Killgore. Kelly Ainsworthy Leiper. Lucas. Lindsey. Lake Mosley Miller. Nixon Patterson Pruitt Parratt Pulliam Rogers. Ross. Rutherford Reinhardt, Stanley. Smith of Saline. Thomason of Crawford. Thomason of Washington Thompson. Williams of Jefferson. Williams of Little River. Williams of Sharp Williams of Union. Walker Mr President.

Those members failing to answer to their names at the call of the roll, were

Berry. Dunn. Barnes. Brown. Copeland. Doswell Frierson Gibson Horner Jones. Joyner Murphy O'Sullivan. Perkins. Polk. Rector. Scott. Smith of Lafayette. Sorrels. White.

A quorum of the convention present.

Prayer by the Chaplain.

Messrs Perkins, Frierson. Dunn. Sorrells appeared in their seats and answered to their names.

The journal of the preceding day was then read and approved

Messrs Barnes. Brown. Horner. Murphy. Gibson. Scott Copeland. Smith of Lafayette. Rector of Garland. appeared in their seats and answered to their names.

Mr Garland of Nevada by unanimous consent of the convention introduced the following resolution.

Resolved. That a committee of five members of the convention be appointed by the President, whose duty it shall be to prepare an address to the people of the state, to be published in connection with the constitution, explaining the main features of the constitution and the necessity of adopting it.

Which was adopted.

On motion of Mr Flanagin of Clark, Mr Barnes of Pulaski was added to the special committee appointed on yesterday to consider of the memorial of the citizens of Clark county.

Mr Flanagin of Clark chairman of the committee on "Arrangements and Revisions" made the following report -

The committee on Arrangement and Revision have examined the "Judicial" article and recommended the following amendments -

Section 1. After the word Courts in 8th line, insert the words "Courts of Common Pleas" when established

Sec. 2. After the word "Courts" in 3rd line insert the words "And elected as such" and immediately after strike out "and" & insert "any"

Sec. 3. After the word "the" in 4th line insert the words "Number 2"

Sec. 4. After the word otherwise in 2nd line strike out "directed" and insert "provided" and in the 9th line strike out the words "and other", and also in 11th line strike out "And" before "Habeas Corpus"

Sec 5 After the word "they" in 7th line strike out "are" and insert "shall have been"

Sec. 6. After the word "the" in 5th line strike out "next" & insert "first" in lieu thereof -

Sec. 7. Strike out the word "and" in 12th line.

Section. 21. In the 12th line strike out the words "Section" and insert "And if" in 25th line after shall insert "have"

Sec. 24 In 6th line, strike out the word "district" and insert the word "Circuit"

Sec 26. After the word "or" in 6th line insert "in"

Sec 28. Insert after the word "Vagrants" the words "the Apprenticeship of Minors. in the 6th line -

Sec 29. In 4th line from end, substitute "resident" for "Citizen," and at end of section add, during his continuance in office"

Sec 30 After the word "Country" in 11th line insert "Judge" and after "Peace" insert "may" in 12th line

Sec. 34. After the word "to" in the 4th line insert the

words "the Probate of wills" and in 6th line strike out the word "And" also after the word "Guardian" in same line insert "and persons of unsound mind and their estates."

Sec. 35. In last line strike out the words "as now or"

Sec. 40. Strike out the words "He shall have concurrent jurisdiction with the circuit Court" and insert "And" making only a semicolon after "Dollars" also in 4th line from bottom of page change "in" to "of" and in same line make "misdemeanor" plural and in 4th line from end of section strike out "seventh" and insert "Provided"

Section 44. To substitute new section.

Section 46. In 7th line, before one insert "and" and in last line strike out "the" and change "him" to "them"

Section 47. In third line after the word "who" insert "shall"

Section 51. In the 11th line change the word "manner" so as to read "matter".

Section 44. The Probate Chancery Court shall continue in existance until abolished by law, or the business pending at the adoption of this Constitution shall be disposed of, or the pending business be transferred to other Courts. The Judge and Clerk of said court shall hold office for the term of two years, and shall be elected by the qualified voters of the state. All suits and proceedings which relate to sixteenth section lands, or the money due for said lands shall be transferred to the respective Counties where such lands are located, in such manner as shall be provided by the General Assembly at the next session.

The Amendments made by the Committee were Concurred in.

Mr Manifield, of Franklin having appeared in his seat after an absence on account of illness answered to his name.

On motion of Mr Murphy, of Jefferson Mr Berry, of Jefferson was granted a leave of absence on account of illness in his family

Mr Hett, of Lawrence, by unanimous Consent of the Convention introduced the following Ordinance =

Whereas, There has been a general failure of crops throughout the State and a famine in many localities is imminent

Therefore, Be it Ordained

1st That no execution shall issue upon any judgment in this State for eighteen months after the passage of this Ordinance.

2nd Be it further ordained, that no sale shall be made upon any decree in chancery in this State for eighteen months after the passage of this Ordinance

3rd Be it further Ordained, that all sales or pretended sales, made in violation of this ordinance shall be null and void

Which on motion was referred to the Special Committee on Memorials.

Mr Eagle, Chairman of the Committee on Engrossment made the following report—

Mr President

Your committee on Engrossment have examined article on Agriculture, Mining and Manufacture, and report the same correctly Engrossed.

The report of the Committee was received

The article on Agriculture, Mining and Manufactures was then made the special order for 9 o'clock Am to-morrow.

The Article on Finance and Taxation was then taken up.

The question was upon the Amendment of Mr Thomason, of Crawford, offered to the Amendment of Mr Harrison of Gell, which by consent Mr Thomason withdrew and substituted the following

No shall any County, city, town or municipality ever issue any interest bearing evidences of indebtedness except such bonds as may be necessary to provide for and secure the payment of existing outstanding indebtedness

Messrs Copeland and Jones appeared in their seats and answered to their names.

The "ayes and nos" were called for and the call sustained—

The Secretary called the Roll and the following named members voted in the Affirmative —

Anderson of Lee. Bunch. Butler of Independence
Butler of Pillaski. Bailey. Bunn. Barnes. Brown
Baxter. Cypert of P. White. Copeland. Cunningham
Crowley. Cureton. Carroll. Cabler. Carter. Cagle.
Crisp. Dozier. Dunaway. Doswell. Treesoh.
Fishback Garland. Gulley. Goodwin. Howe.
Hampton. Horton. Heights Hawkins. Hanna
Howell. Joyner. Killgore. Kelley. Leiper
Lucas. Lindsey. Lake. Mosley. Mansfield
Murphy. Miller. Niven. O'Sullivan
Prentiss. Perkins. Parrott. Ross. Stanley
Smith of Saline. Thomason of Crawford. Thomason:
of Washington Thompson. Williams of Little River
Williams of Sharp. Walker & Mr President

Those voting in the negative were —

Anderson of Craighead. Blackwell. Eakin. Eagle.
Gibson Harrison. Jones. Patterson,
Pulliam. Rogers. Rutherford. Reinhardt
Scott. Sorrels. Williams of Jefferson.
Williams of Union & Witt.

In the Affirmative 60
In the Negative 17
Not voting 14
91

So the Amendment to the Amendment was agreed to —

Mr Witt of Van Buren sent to the Secretary's desk the following explanation of his vote —

I vote "No" because I am opposed to the creating debts and funding the same especialy when it is always done in favor of the married man to the detriment of the born — I oppose it further because I want every man to have the advantage of the depreciated value of scrip — and further because a quantity of fraudulent scrip has been issued in several Counties and when it is funded they loose eight fifths of the same and then have no way of defending themselves against it —

Mr Scott of Pope sent to the Secretarys desk the following explanation of his vote —

Mr President —

If I believed it would be the best we could get by the adoption of the amend = = ment proposed by the gentleman from Sharp =

Crawford, I might possibly give it my support, but believing that Section one, as it now stands and as reported by the committee is preferable, I shall vote no.

Mr Pelham, of Sebastian moved to further amend by adding to the amendment first adopted the word "present" before the word "existing"

Mr Bates called for the previous question, the call was sustained and the previous question ordered

The "ayes and noes were ordered on the main question

The roll was called and the following named members voted in the affirmative

Anderson, of Lee.	Anderson of Craighead.	Bailey.	Baird.	Bates.
Bell, of Independence	Bennett.	Berry.	Bevens.	Bilheimer.
Blair.	Bland.	Bowen.	Brandon.	Brooks.
Brown.	Bryan.	Bullock.	Burnett.	Burnside.
Butler, of Jefferson	Byrd.	Caldwell.	Campbell.	Carpenter.
Carroll.	Cate.	Chism.	Clark.	Cockrill.
Coffman.	Cole.	Conway.	Cook.	Cooper.
Cotham.	Cowling.	Crawford.	Crump.	Cunningham.
Curtis.	Daniel.	Davis.	Dickinson.	Dillaway.
Dodd.	Dorsey.	Dorsey.	Dorsey.	Dorsey.
Dorsey

Bunn. Barnes. Brown. Bates. Bowen.
Bryant, J. White. Cunningham. Crowley.
Chesteet. Carroll Cable. Chism. Downs.
Dunaway. Doswell. Eagle. Flanagin. Frierson
Gibson. Garland. Gulley. Goodwin. Howell
Hamilton. Harrison. Horton. Hughes.
Hawkins. Hanna. Howell. Joyner.
Killgore. Kelley. Leiper. Lucas. Lindsay.
Lake. Mosley. Mansfield. Murphy.
Miller. Nixon. Patterson. Quarles
Parrott. Rogers. Rutherford Reinhardt
Stanley. Smith J. Saline. Sorrels. Thomason
J. Crawford. J. Thomason J. Washington
Thompson. Williams J. Jefferson. Williams
J. Little River. Williams J. Shark. Williams J.
Union. Walker. Mr. President.

Those Members voting in the negative were -

Butler J. Pulaski. Blackwell. Cleveland
Eakin. Fishback Jones. O'Sullivan
Perkins Pulliam. Scott. Swill J. Smith J.
Lafayette)

In the Affirmative 68
In the Negative 12
Not voting

So the Substitute as amended was agreed to

The question then recurred upon the adoption of the Substitute as amended, for the Section

Mr. Thomason of Washington moved further to amend the Substitute as follows -

And the State shall never issue any interest-bearing Treasury warrants or scrip.

Upon which Mr. Smith of Saline moved to amend further as follows -

No debt shall be created by or on behalf of the State except to supply casual deficiencies of Revenue repell invasion suppress insurrection defend the State in war or to pay existing Indebtedness.

But withdrew the same -

The question then recurred upon adopting the Amendment offered by Mr. Thomason of Crawford.

The question was taken and the Amendment adopted.

Mr Leiper of Dallas, moved to amend the 2nd sect- as follows Insert-word "just" before the word debt-in first line.

Which was adopted.

Mr Flanagin of Clark moved to amend as follows by striking out Section 2.

The General Assembly shall from time to time provide for the payment of all just and legal debts of the State.

Which was adopted-

Mr Frierson of Cross, moved to strike out Section 3

Upon which Mr Frierson of Cross called for the previous question

Mr Thomason of Crawford, called for the "Ayes and Noes" on the previous question.

The Secretary called the roll and the following named members voted in the Affirmative -

Anderson of Lee.	Anderson of Craighead.	Bunch.	
Butler of Independence.	Bailey.	Brown.	
Blackwell.	Brown.	Bowen.	Cypert of White
Cunningham.	Crowley.	Calber	
Carter.	Cazin.	Dorwell.	Eakin
Frierson.	Garland.	Gulley.	Goodwin
Howell.	Horton.	Hughes.	Hawkins.
Hanna.	Howell.	Joyner.	Killgore
Kelly.	Lucas.	Mosley.	Miller
Miller,	Patterson	Parrott.	Rutherford.
Reinhardt	Thompkson.	& Veith.	

Those voting in the negative were -

Butler of Pulaski.	Barnes.	Copeland.	Calber.	Downs.
Dunaway.	Fishback.	Gibson.	Harrison.	Jones.
Leiper.	Lindsey	Lake.	Mansfield	Murphy
O'Sullivan.	Patterson.	Prentiss.	Perkins	
Sullivan.	Rogers.	Sims.	Rector.	Stanley
Smith of Lafayette.	Smith of Saline.	Sorrels		
Thomason of Crawford.	Thomason of Washington			
Williams of Jefferson.	Williams of Little River			
Williams of Sharp.	Williams of Union.			
Walker & Mr President.				

In the Affirmative	39
In the Negative	350
Not voting	19
	91

So the previous question was ordered -

On the vote of the previous question Mr Harrison of Cull sent to the Secretarys desk the following explanation of his vote—

Mr President— I vote no— because I am opposed to cutting off Debate I want all the information I can get on the Sections.

So the main question was ordered—

Upon which the "ayes and noes" were called for and the call sustained

The Secretary called the roll and the following named members voted in the affirmative

Anderson of Lee. Anderson of Craighead. Bench
Butler of Independence. Battle of Pulaski
Bailey. Benson. Barnes. Blackwell
Brown. Bryant of White Cunningham Crowley
Caster Carlin. Cagle. Clayton
Downs. Dunnaway. Caswell Easton
Eagle. Flanagan Pierson Garland
Gordwin Gulley. Horne. Hampton.
Horner. Hughes. Hawkins Howell.
Jones. Joyner. Hildgon Kelley.
Lucas. Mosely. Mansfield Mudgley.
Miller Niven Overton Prewitt.
Perkins. Poinett. Rose. Ruthford
Reinhardt Stanley. Smith of Lafayette.
Smith of Calvin Thompson. Williams of Sharp
Williams of Izard. Pres Pro Tem.

Those voting in the negative were.

Bates Brown. Copeland
Cable. Fishback Gibson
Harrison Leiper Lindsey
Lake. Patterson. Pulliam. Rogers.
Rector. Sorrels. Thomason of Crawford
Thomason of Washington Williams of Jefferson.
Williams of Little River Walker declined to.

In the affirmative 58.
In the negative 21.
Not voting. 12.
91

So the motion to strike out was carried.

Mr Leiper of Pulaski sent the following explanation of his vote to the secretarys desk.
I vote no because I desire to relieve the state forever from the payment of all fraudulent Claims and thus deliver the people from all iniquitous taxation to be collected for the payment of claims they do not owe.

Mr Witt of Van Buren sent to the secretarys desk the following explanation of his vote "I vote no because I am in favor of refusing to pay any and all fraudulent debts, and we have sufficient evidence to know or grounds to believe that the Bonds mentioned in sect. 3. are fraudulent and hence I am in favor of settling this question by this convention now and forever.—

Mr Lindsey of searcy sent to the secretarys desk the following explanation of his vote.

Mr President. I vote no. because I am opposed to dodging this question at all, & think we had as well meet square to the work at once and rid the state of those fraudulent bonds. if there be any such.

Mr Rector of Garland offered the following as section 3. "In justice alike to the people of Arkansas and to her honest creditors the general assembly shall have no power nor to levy any tax or to make any appropriation to pay either the principal or interest or any part thereof, of the following illegal and fraudulent bonds of Arkansas, or any part thereof, viz: Rail Road aid Bonds issued or that may be hereafter issued under an act of the General assembly of the state of Arkansas, entitled an act to aid in the construction of Rail Roads. approved feby 21st. A D 1868. Seven Bonds, issued under an act of the general assembly of the State of Arkansas entitled "an act providing for the building and repairing of the Levees of the state and for other purposes" approved March 16th A.D. 1869 and the supplemental act thereto approved April 12th A D 1869. and the amended act entitled an act providing for the building and repairing of the public Levees of the State. approved March 23d. A D 1871, and the Bonds issued under an act of the general assembly of the state of Arkansas entitled an act to provide for the funding of the public debt of the state, approved April 6th A D 1869. and numbered from four Hundred and sixty one to Eighteen Hundred and sixty inclusive, being the funding bonds delivered to H. H. Caper and commonly known as "Halford Bonds" and any law or act levying such tax or making such appropriation, or authorizing the same to be made or levied, shall be void. Provided however that the holders of the bonds herein before designated as "Levee

"Bonds" and Rail Road aid Bonds" may institute suit in any of the courts of this State with the right of appeal and if upon such appeal the Supreme Court of the State of Arkansas shall upon final hearing upon the merits declare said Bonds aforesaid to be valid and issued according to law, then and in that case the general assembly may provide by appropriate legislation for the payment of all or such portion of said bonds as may be deemed advisable

Mr Lupton of Dallas moved to amend further as follows "For the payment of any bonded claims against the state, until the justness of such claims shall have been established by the Courts.

upon which the previous question was called for

Mr Thomason of Crawford called for the "ayes and noes" on the previous question
The call was sustained.

The roll was called and the following named members voted in the Affirmative.

Anderson, of Lee. Anderson, of Craighead. Branch
Butler, of Independence. Butler, of Pulaski.
Bailey. Benson. Blackwell. Bowen.
Cockrell, of White. Cunningham. Crowley. Custer.
Cabler. Carter. Cagle. Chisso Dunaway.
Doswell. Eakins. Flanagan. Garland.
Gulley. Goodwin. House. Hampton.
Horton. Hawkins. Hanna. Dowell.
Joyner. Kelly. Kinsworthy. Lucas.
Mosley. Mansfield. Miller. Neven
O'Sullivan. Pumphrey. Parrott. Rutherford.
Reinhardt. Thompson. Tait & Mr President

Those voting in the negative were -

Barnes. Bates. Copeland. Downs. Eagle.
Fishback. Gibson. Harrison. Hughes. Jones.
Killgore Leiper Lindsey. Lake. Mockley
Patterson. Perkins. Pettidrew. Rogers. Rose.
Rector. Stanley. Smith, of Lafayette. Smith, of Saline
Sorels. Thomason, of Crawford. Thomason, of
Washington. Williams, of Jefferson Williams, of
Little River. & Walker.

In the affirmative	47
In the negative	30
Not voting	14
	91

So the previous question was ordered -

The "Ayes and noes" were ordered on the main question

The Secretary called the roll and the following named members voted in the Affirmative -

Bunch. Bates. Copeland. Cunningham. Cable.
Fishback. Gibson. Hughes. Kelly. Leiper
Lucas. Lindsey Rogers. Reinhardt. Thomason, J. =
Crawford. Thomason, J Washington. Williams, J. =
Little River. & Walk.

Those voting in the negative were -

Anderson, J. See. Anderson, J Craighead. Butler, J Independence
Butler, J Pulaski. Bailey. Brown. Barnes. Blackwell.
Brown. Bowen. Cypert & White. Crowley. Custer
Carter. Eagle. Chilcoat. Downs. Dunaway
Dowell Eakin Eagle. Flanagin. Frierson.
Garland. Gulley. Goodwin. Horne.
Hampton. Harrison. Hudson. Hawkins
Hanna. Howell. Jones. Joyner.
Killgore Kinsworthy. Lake. Mosley.
Mansfield. Murphy. Miller. Nicks
O'Sullivan. Patterson. Pinkley. Parrott.
Pelliam. Ross. Rector Rutherford
Stanley. Smith J Lafayette. Smith J Saline.
Scott. Thompson. Williams J Jefferson
Williams J Shark. Walker & Mr President.

In the Affirmative 18.
In the Negative 55.
Not voting 18
91

So the Amendment to the Amendment was not agreed to -

The question then recurred upon the Amendment offered by Mr Rector, J Garland.

Upon which Mr Eakin, J Hempstead moved the previous question

Which call was sustained and the previous question ordered

The "Ayes and noes" were called for and ordered on the main question

The roll was called and the following named members voted in the Affirmative -

Bates. Bowen. Copeland. Custer. Cable
Carter. Chism. Dunaway. Fishback. Gibson
House. Harrison. Kinsworthy. Leiper Lucas
Lindsey. Lake. Pelliam. Rogers. Ross.
Rector. Stanley. Scott. Scott. Thomason =
J Crawford. Thomason J. - Washington. Williams J Jefferson.
Williams J Little River. Williams J Gibson. Walker & Pres.

Those voting in the negative were -

Anderson, of Lee	Anderson, of Craighead.	Bench.	
Butler, of Independence.	Butler of Pulaski.		
Bailey.	Baum.	Barnes.	Blackwell.
Brown.	Cypert, of White.	Cunningham.	Crowley.
Cagle.	Downs.	Dorsett.	Eakin.
Eagle.	Flanagin	Friersen	Garland.
Fuller	Goodwin.	Hampton.	Homer.
Hughes	Hawkins.	Hanna.	Howell.
Jones.	Joyner.	Killgore.	Kelly.
Mosley.	Mansfield.	Murphy.	Miller.
Nicks.	O'Sullivan.	Patterson.	Pumphrey.
Perkins.	Parrott.	Rutherford.	Reinhardt.
Smith, of Lafayette.		Smith, of Saline.	Thompson
Williams, of Shark. &		Mr President.	

In the Affirmative 31
In the Negative 58
Not voting 10
91

So the Amendment was not agreed to.

Mr Thomason, of Crawford sent to the Secretary's desk the following explanation of his vote -

Mr President -

With the view of perfecting the amendment if adopted, I vote Aye.

Mr Smith, of Lafayette, in compliance with his notice on yesterday moved the reconsideration of Section 3, of the article on "Agriculture, Mining & Manufacturing."

Upon which he called for the "Ayes and Noes".

The call was sustained and the "Ayes and Noes" were ordered -

The roll was called and the following named members voted in the Affirmative -

Barnes.	Copeland.	Downs.	Gibson.	Hughes.
Jones.	Killgore.	Kinsworthy.	Leiper.	Lake
Mosley.	Murphy.	O'Sullivan.	Pumphrey.	Perkins
Nicks.	Scott.	Smith, of Lafayette.	Williams of -	
Jefferson & Wirt.				

Those voting in the negative were -

Anderson, of Lee.	Anderson, of Craighead.	Bench.		
Butler of Independence	Bailey.	Baum		
Blackwell.	Baker.	Bowen.	Cypert, of White	
Cunningham.	Crosby.	Carroll	Cable.	

Carlé.	Cagle.	Chism.	Dunaway.	Dowell.
Eakin.	Eagle.	Flanagin.	Frierson.	Fishback
Garland.	Gulley.	Gordon.	House.	Hampton.
Harrison.	Hogan.	Hawkins.	Hanna.	Howell.
Joyner.	Kelly.	Lucas.	Lindsey	Mansfield
Miller.	Nixon.	Patterson.	Carroll.	Pulliam
Rogers.	Ross.	Rutherford.	Reinhardt.	Stanley
Smith, J.	Saline.	Scott.	Thomason, J.	Crawford.
Thomason, J.	Washington.		Thompson.	
Williams, J.	Little River.		Williams, J.	Sharp.
Williams, J.	Union.		Walker	Mr President

In the Affirmative 20
In the Negative 59
Not voting 12.
91

So the motion to reconsider was lost.

The Article on "Agriculture, Mining and Manufactures" was then read a 3rd time and placed on its final passage

The Secretary called the roll and the following named members voted in the Affirmative

Anderson, J.	Craighead.	Bunch.	Butler, J.	Independence
Bailey	Bynum.	Brown.	Bates.	Bowen.
Cypert, J.	White.	Cunningham.		Crutcher
Carroll.	Baker-	Caster.	Eagle.	Chism
Dunaway.	Eakin.	Eagle.	Flanagin.	Frierson
Fishback	Garland.	Gulley.	Gordon.	House
Harrison	Conner.	Hughes.	Hawkins.	Hanna
Howell.	Joyner.	Killgore.	Kelly.	Kinworthy
Leiper	Lucas.	Lindsey	Lake.	Morley
Mansfield.	Miller.	Nixon.	Patterson.	Pumney
Carroll.	Pulliam.	Ross.	Rector.	Rutherford.
Reinhardt.	Stanley	Scott.	Smith, J.	Saline
Thomason, J.	Crawford.	Thomason, J.	Washington.	
Thompson.	Williams, J.	Sharp.	Williams, J.	Union
Nott & Mr	President.			

Those voting in the negative were -

Anderson, J.	Butler, J.	Barnes.
Blackwell.	Copeland.	Downs.
Boswell.	Gibson.	Jones.
Murphy.	O'Sullivan.	Perkins.
Rogers, J.	Smith, J.	Williams, J.
Jefferson).	Williams, J.	Little River & Walker.

In the Affirmative 62.
In the Negative 17
Not voting 12
91

So the Article on "Agriculture, Mining and Manufactures

was adopted, and referred to the Committee on arrange=
=ment and revision. under the rule which reads as
follows

Agriculture, Mining and Manufacture.

Sec 1. The General Assembly shall pass such laws
as will foster and aid the Agricultural, Mining
and Manufacturing interests of the State. And may
create a bureau to be known as the Mining, Manu=
=facturing and Agricultural Bureau.

Sec. 2. The General Assembly when deemed expedient
may create the Office of State Geologist to be appointed by
the Governor, by and with the advice of the Senate;
who shall hold his office for such time and perform
such duties, and receive such compensation
as may be prescribed by law. Provided that he
shall be at all times subject to removal by
the Governor for incompetency or gross neglect
of duty.

Sec. 3. The General Assembly may exempt by
general law from taxation, for the term of seven
years, the capital invested in Mining and
Manufacturing under such regulations and
restrictions as may be prescribed by law.

Sec. 4. Exemptions from taxation shall be limited
to seven years after the adoption of this Constitution
and may apply to one or more kinds of Manufactures
without extending to all kinds.

Sec 4 of the article on finance was taken up.

On motion of Mr Eakin, of Hempstead Section 4
was stricken out.

Mr Eakin, of Hempstead, moved to strike out
Sec 6

Upon which the "Ayes and noes" were
called for and the call was sustained.

The Secretary called the roll and the following
named members voted in the Affirmative

Anderson.	Craighead.	Branch.	Bailey.
Brown.	Bowen.	Cypert of White.	Custer
Cable.	Carter.	Cagle.	Chism. Downs
Eakin.	Garland.	Hanna.	Jones. Killgore
Mansfield.	O'Sullivan.	Perkins.	Rogers.
Rector.	Scott.	& Williams of Carroll	

Those voting in the negative were.

Anderson of Lee.
Bates.
Dunaway.
Frierson.
Goodwin.
Horan.
Joyner.
Lucas.
Moorefield.
Parrott.
Reinhardt.
Sorrels.
Washington.
Williams of Little River
Walker. Wilk & Mr President.

Butler of Pulaski
Cunningham.
Dorsett.
Fishback
Hays.
Hughes.
Kelly.
Lindsey.
Miller.
Quisenberry.
Stanley—
Thompson of Thompkins.

Barnes.
Crowley.
Eagle.
Gibson.
Hampton.
Hawkins
Kingsworthy.
Lake.
Rivers
Ross.
Smith of Crawford.
Williams of Jefferson
Williams of Clark.

Brown.
Carroll.
Flanagin.
Gryder.
Harrison
Howell.
Leiper
Mosley.
Patterson—
Rutherford
Smith of Lafayette
Thomason of —

On the Affirmative 24
On the Negative 53.
Absorbing 14
91

So the motion to strike out was not agreed to—

Mr Mansfield of Franklin offered as a substitute for Sec 6, as follows:

Sec. 6. The General Assembly shall fix the salaries and fees of all officers in the State and no greater salary or fee than that fixed by law shall be paid to any officer employee, or other person.

Mr Flanagin moved further to amend as follows

Or at any rate other than at par value, and the number and salaries of the clerks and employees of the different departments of the State shall be fixed by law.

Which was accepted by Mr Mansfield

Mr O'Sullivan moved to refer the Sections & amendment to the Committee on "Miscellaneous Provisions"

Which was not agreed to

Mr Fishback called for the "ayes and noes"

Which call was sustained and the ayes and noes were ordered.

The roll was called and the following named members voted in the Affirmative

Anderson of Lee. Anderson of Craighead.
Bunch Butler of Independence—

Bailey Bunn. Barnes. Blackwell.
Brown. Bowen. Cypress of white. Cunningham
Crowley. Carroll. Cable.
Carter. Cagle. Chisom Deens
Hinnaway. Eakin. Eagle. Flanagin.
Prisson Garland. Gurley. Goodwin
Ross Hampton. Hamson. Homer.
Hughes. Hawkins. Hanna. Howell
Joyner. Kilgore Kelley. Leiper Lucas.
Lindsey Lake. Mosely. Mansfield
Murphy. Miller Niven O'Sullivan
Patterson Pruitty Parrott. Rogers.
Ross. Rutherford Reinhardt Stanley
Scott. Smith of Lafayette. Smith of Saline
Sorrels. Thomason of Crawford Thomason
of Washington Thompson. Williams of Jefferson
Williams of Little River Williams of Sharp.
Williams of Izard. Mr. President.

Those voting in the negative were,
Bullen of Pulaski. Bates. Fishback
Gibson. Jones. Kincannon of Walker

So the affirmative 69.
So the negative 15
Not voting. 7
91

So the amendment was adopted.

Mr Hughes of Greene moved to amend as follows. "I move to amend section 4, by inserting at the close of the section the words. "And Capital invested in mining and manufacturing."

Mr Flanagin of Clark offered further to amend as follows. "

add after the words law in the 2d line "Provided that the following property shall be exempt from taxes. Public property used exclusively for public purposes. Churches used as such. Cemeteries used exclusively as such. School buildings and apparatus, libraries and grounds used exclusively for school purposes and buildings and grounds and materials used exclusively for charitable purposes. and the general assembly may exempt from taxation for seven years Capital invested in mining and manufacture.

Which was accepted by Mr Hughes.

A Division of the question was ordered.

The amendment offered by Mr Flanagin was then put.

The question was taken and the amendment adopted,

The question then recured upon that part of the question offered by Mr Hughes of Monroe.

The "ayes and noes" were called for and the call sustained.

Mr Perkins of Pulaski moved to adjourn until 4 o'clock P.M.

which was not agreed to.

Mr Hughes of Monroe withdrew his amendment they consent.

Mr Thomason of Crawford moved to strike the words "uniform upon the same class of subjects." and insert "ad valorem."

which was not agreed to.

Mr Hughes of Monroe moved to amend as follows " I move to amend section "Eight" by striking out all after the word "shall" in the second line and inserting "as provided in this constitution.

which was adopted.

The Convention then took a recess until 4 o'clock P.M.

After the Recess.

The convention met at 4 o'clock P.M.

A quorum of the convention present.

Mr Leiper introduced the following resolution

Whereas under an ordinance of this Convention the Secretary assistant Secretary Journal Clerk and other officers were directed to be paid out of current funds proposed to be borrowed out of the Treasury of the State and whereas by an order of the Judge of the Pulaski Circuit Court. the Treasurer

of the State is inhibited from complying with the said ordinance

Therefore be it resolved. That the secretary of this Convention be and with the approval of the President be authorized to issue to the said employees Certificates to be paid in State Scrip at a rate per diem as follows

To the secretary dollars.
Assistants " dollars.
Journal Clerk dollars.
Pages. dollars.
doorkeeper assist. dollars.
Sergeant at Arms. dollars
Chaplains dollars.
Transcribing Record. dollars.

Mr Eagle of Lonoke moved to fill the blank for Secretary at the sum of Ten dollars per day.

Mr Smith of Lafayette moved as follows.
"Resolved that the President of the Convention be and he is hereby authorized to issue Certificates to the officers of this Convention for such amounts as will enable them to realize the amounts in Currency heretofore voted them, by this Convention.

But withdrew the same by consent.

Mr Eakin of Hempstead moved to fill the blank at $20. per day.

Mr Flanagan of Clark moved to fill the blank at $16.00 per day.

The largest amount was put first.

The question then recurred upon filling the blank with $20. per day for secretary

The ayes and noes were called for and sustained.

The secretary called the Roll and the following named members voted in the affirmative.

Eakin. Jones. Smith of Lafayette
Thompson of Downs

Those voting in the negative were

Anderson of Lee. Anderson of Craighead Bunch
Butler of Independence. Butler of Pulaski.
Bailey. Barnes. Blackwell Brown
Bates. Brown. Bynum of White. Copeland.
Cunningham. Crowley. Curtis. Carroll.
Cabler. Carter. Eagle. Chism
Dunaway. Dosewell. Eagle. Flanagin
Fishback Gibson Gailand. Gordon
Stone. Harrison. Stroner. Hughes.
Hawkins. Hanna. Stovall. Kilgore
Kelley Kniseworthy Leiper Lucas.
Lindsey Lake. Mosley. Mansfield
Murphy Miller Niven Pattison
Quarterly. Perkins. Parrott. Rogers
Ross. Rector Rutherford Reinhardt
Stanley. Smith of Saline. Ozzels.
Thompson of Crawford. Thomason of Washington
Williams of Izard. Williams of Izard.
Walker and Pratt.

In the affirmative 5
In the negative 66
Not voting 20
91

So the motion to fix the blank with $20.00 per day was lost.

The question then recurred upon the filling of the blank for $16.00 per day.

The ayes and noes were called for.

The roll was called and the following named members voted in the affirmative
Butler of Independence. Butler of Pulaski
Bailey Barnes. Blackwell. Brown
Cypert of White. Copeland. Cunningham
Curtis. Carroll. Eagle. Burns.
Doswell. Eakin. Flanagin. Gailand
Gordon Stone. Stroner. Hughes
Hawkins. Jones. Kilgore Leiper
Mosely. Mansfield Murphy. Miller
Perkins. Parrott. Ross. Rector.
Smith of Lafayette. Smith of Saline. Thompson
Williams of Izard. Mr President

Those voting in the negative were.
Anderson of Lee. Anderson of Craighead Bunch
Bailey Brown. Crowley. Cabler
Carter. Chisum Dunaway. Fishback
Gibson Harrison Hanna. Stovall
Kelley Kniseworthy Lucas. Lindsey
Lake. Niven. Pattison. Pindall

Rogers. Rutherford Reinhardt Stanley.
Lords. Thomason of Crawford. Thomason
of Washington. Williams of Union. Walker
and with.

In the affirmative	34
In the negative	34
Not voting	20
	91

So the amendment was adopted.

Mr Lindsey of Searcy sent to the secretary desk the following explanation of his vote.

"Mr President. When the vote was taken by the convention which gave the secretary Eight dollars and his assistants six dollars per day, in currency I voted against it thinking it was out of all reason, and now as the proposition is to give the secretary sixteen, and his assistants twelve dollars per day in state scrip I therefore vote no. thinking that proposition extravagant.

Mr Cypert of White moved to fix blank for assistant secretary at twelve dollars.

upon which the ayes and noes were called for and ordered.

The roll was called and the following named members voted in the affirmative

Bullis of Independence	Bynum.	Barnes.	
Blackwell.	Brown.	Cypert of	
White.	Copeland	Cunningham	Pulaski
Carroll.	Cagle.	Childs	Dorris
Doswell	Eakin.	Flenniken.	Garland
Godwin	Horne	Hamer.	Hughes
Hawkins	Hanna.	Harrell.	Jones.
Kilgore	Lupin.	Lake.	Mosley
Mansfield	Murphy.	Millen	Perkins
Parrott.	Rose.	Rector.	Reinhardt
Smith of Lafayette.		Smith of Sebastian	Thompson
Williams of Sharp		Williams of Union	
Mr President			

Those voting in the negative were

Anderson of Lee.	Anderson of Craighead		
Bunch	Burton of Pulaski	Bailey	
Bates.	Crowley.	Carlton	Carter
Dunaway	Edgyle	Fishback	Gibson
Harrison	Kirkwood	Lucas.	Lindsey
Niven	Patterson	Pantney	Pattison

Rogers Rutherford Stanley Cross.
Thomason of Crawford. Thomason of Washington
Walker. Pruitt

In the affirmative. 44.
In the negative. 28.
Not voting. 19
91

So the amendment was carried

On motion the blank for Journal Clerk was filled at Twelve dollars per day

On motion the blank for pages was filled at $4.00 per day.

On motion the blank for sergeant at arms was filled at $6.00 per day.

On motion the blank was filled for chaplain at $6.00 per day.

Mr Eakin moved to fill the blank for stenographic reports at 20 ¢ per hundred words. figures excluded.

Mr Eagle moved to amend by filling blank at Ten cents per hundred words.

The largest amount was put first.

The ayes and noes were called for and ordered.

The secretary called the roll and the following named members voted in the affirmative.

Banks of Independence	Burns.	Barnes	
Blackwood.	Copeland.	Brown.	Cyphers
of White	Chisin.	Cunningham	
Eagle.	Gardner.	Dorris.	Eakin
Garland.	Howell.	Hughes.	Hawkins
Hanna.	Moseley.	Jones.	Kilgore
Leiper-	Perkins	Mangrum.	Mayfield
Mills	Smith of Lafayette.	Parratt.	Ross
Rice	Thompson.	Williams of	Thomason
of Crawford		Williams	
Shenk			
of Union.	and Mr President.		

Those voting in the negative were:

Anderson of Lee.	Anderson of Craighead		
Bunch.	Banks of Pulaski.	Bailey	
Bates.	Carroll.	Cable.	Carter
Dunaway	Eagle	Fishback	Gibson

Harrison. Hinsworthy. Lucas. Lindsey. Lake.
Patterson Oglesbaim. Rogers. Rutherford. Reinhardt.
Stanley. Sorrels. Thomason & Washington.
Walker & Voit.

In the Affirmative 36
In the Negative 28
Not voting 27
91

So the Amendment to fill the blank with Twenty cents was agreed to. ———

Mr Howell of Johnson sent to the Secretarys desk the following explanation of his vote.

I vote "aye" because we promised them ten cents per 100 words in Green Backs.

Mr Fishback of Sebastian moved to allow the Committee appointed to revise and compare the Journal of the Convention $4.00 per diem extra pay, on account of the extra duties imposed upon the committee

Pending the discussion of the motion just made the Convention adjourned until 8 o-morrow morning at 8 o'clock.

Thomas M. Newton
Secretary

Granderson D Royston
President Con Convention

Saturday
8 o'clock am
August 2nd 1874.

The Convention met pursuant to adjournment

The roll was called and the following named members answered to their names.

Anderson of Lee. Anderson of Craighead. Bunch
Butler of Independence. Butler of Pulaski
Bailey. Blackwell. Brown. Bates.
Bowen. Bryant of White. Cunningham
Crowley. Crisler. Carroll. Cabler.
Carter. Cagle. Downs Dunaway.

Dowell. Eakin. Eagle Flanagin. Frierson Fishback
Gulley. Goodwin. Hampton. Hawkins. Hanna. Howell.
Killgore. Kelly. Kinsworthy Leiper. Lucas. Lindsey.
Lake Mosley Miller Skiven. Patterson
Purtuey. Perkins. Parrott. Pullian. Rogers Ross
Rutherford Reinhardt. Stanley. Sorrels. Thomason
J. Crawford. J. Thompson. Williams & Jefferson
Williams, J. Little River. Williams & Sharp.
Williams, J. Union. Walker & Mr President

Those members failing to answer to their names were

Burnett. Barnes. Copeland. Chism. Gibson
Garland. House. Harrison. Horton. Hughes.
Jones. Joyner. Mansfield. Murphy.
O'Sullivan. Polk. Rector. Scott.
Smith of Lafayette. Smith of Saline. Thomason of
Washington White & Tutt

a quorum of the Convention present -

Prayer by Rev. Mr Malone of Pulaski County

Messrs. Mansfield, House, Garland, Gibson, Scott & Chism - appeared in their seats and answered to their names.

The journal of the preceding day was read and approved

Messrs O'Sullivan, Murphy, Scott, Gulley, Hughes Barnes, Thomason of Washington Burnett Rector & Smith of Lafayette. appeared in their seats and answered to their names

Mr Flanagin of Clark Chairman of the committee on "Arrangement and Revision" made the following report

The committee on arrangement and revision report the article on militia back without amendment.

The report of the committee was adopted -

August 28th 1874.

The Committee on arrangement and revision having had under consideration the Article on Municipal Corporations -- recommend the following amendments, to wit:

Sec 4: In 4th line from end of Section insert the word "or" after the word "real"

Sec 7 In 5th line after "Association" strike out balance of Section (for reason that it conflicts -

with article upon Finance and Tapation.)
All of which is submitted.

The report of Committee was adopted.

The Committee on Arrangement and Revision have examined the article headed "Apportionment" and submit the following amendments to wit:

Sec 1. In 5th line strike out the word "Represen=tative" and insert "Members"

Sec. 2. On 16th page 7th line strike out the word "one" and insert the words "the first" and so on through the Section wherever the word "one" occurs before "District" that the same be stricken out and insert therefor, the words "the second" "the third" &c numerically until end of section also on page 16 of said Section at the end of the 3rd line from bottom of page insert the word "and" after "Boone".

All of which is submitted
H C Flanagin,
Chairman

The report of the Committee was adopted.

The Committee on revission have had the article on Exemption and report the same back with the following amendments—

Sec. 2. Add to Section at close the words "on debt by contract"

Sec. 3. In 7th line after "for" insert "the"

Sec. 4. Erase the dollar mark in figures and insert "twenty five hundred dollars"— at last of same Section add the words—"without regard to value" In same Section insert after the word "thereon" in 6th line the words "to be selected by the owner".

Sec 5. In 5th line after "thereon" insert "to be selected by the owner" After close of Section add "without regard to value"

All of which is submitted
H C Flanagin
Chairman

The report of the Committee was adopted.

The Committee on arrangement and revision have had the

under consideration and report the same with the following amendments which they recommend shall be adopted -

Sec. 2 - In 5th line after "advice" insert "and consent"

Sec. 3. (The General Assembly may by general law exempt from taxation for the term of seven years from the ratification of this Constitution the Capital invested in any or all kinds of mining & Manufacturing business in this State under such regulations and restrictions as may be prescribed by law). to be substituted for 3rd & 4th Sections

All of which is submitted
T. G. Flanagin,
Chairman

Messrs Jones and Copeland appeared in their seats and answered to their names -

Mr Downs, of Chicot arose to a privileged question and called for the reading of the Journal of Aug 19th, be read so far as to show the action of the Convention upon the Substitute offered by himself on Section 51.

The Journal of the 19th was read on motion of Mr Williams, of Jefferson was corrected and made to show that the substitute offered by Mr Downs was adopted.

The Article on Finance was then taken up.

Mr Thomason, of Crawford, moved to reconsider the vote had on Section 1.

Which was agreed to -

Mr Thomason, of Crawford moved to amend by striking out the word "necessary" and insert "As may be provided by law."

Which was adopted -

Mr Stanley of Drew offered to amend Section 10 as follows:

Mr President -

I move to strike out one per cent in 2nd line and insert five mills.

Mr Flanagan, of Clark moved to offer the following Substitute for Section 10.

- Any tax payer who before he is delinquent

shall tender one per cent on the assessed value of his property in greenbacks or gold or silver coin, shall be entitled to a receipt in full for all his State taxes of every description for any one year, and after the year 1878. If such tax payer shall tender one half of one per cent on the assessed value of his property he shall be entitled to a like receipt for all his State taxes for the year.

Mr Rector, of Garland called for the previous question which call was sustained and the previous question ordered.

The "ayes and noes" were ordered on the main question

The Secretary called the roll and the following named members voted in the affirmative

Flanagin. Compton. Killgore. Lucas.
Rose. Thomason. of Crawford.

Those voting in the negative were -

Anderson, of Lee. Anderson, of Craighead.
Branch. Butler, of Independence.
Butler, of Pulaski. Bailey. Brown. Barnes.
Blackwell. Brown. Baker. Bowen. Bryant-
-of White)
Carroll. Cunningham. Crowley. Carter
Downs. Gabler. Carlin Cagle. Chism
Fishback. Dunaway. Doswell. Eakin. Eagle
Goodwin. Gibson. Garland. Gentry.
Hawkins. Horne. Hanna. Howell. Hughes.
Joyner. Kelly. Leiper Lindsey.
Lake. Mosley. Mansfield Mahony.
Miller. Nixon. O'Sullivan Patterson
Pursley. Perkins. Parrott. Pulliam
Rogers. Rector. Rutherford. Reinhardt.
Stanley. Scott. Smith, of Lafayette.
Smith of Saline. Thomason of Washington
Thompson. Williams, of Jefferson
Williams, of Little River. Williams of Shark
Williams, of Union. Walker. White of -
-Mr President.

In the Affirmative 6.
In the Negative 91
Not voting. 14
91

So the amendment to the amendment was lost.-

Mr Thompson, of Woodruff, moved to amend further by striking out all after the word "Year" in 3rd line Sect 15.

Upon which the previous question was called for and ordered.

The question was then taken and the amendment adopted -

Mr Eakin, of Hempstead, moved to strike out sec 10.

Upon which the previous question was ordered

The "Ayes and noes" was ordered on the main question.

The Roll was called and the following named members voted in the Affirmative

Blackwell. Eakin. Gabler. Downs. Fuson
Garland. Killgore & Stanley.

Those voting in the negative were -

Anderson, of Lee. Anderson, of Craighead.
Branch. Britter, of Independence Butler of-
Bulaski. Bailey. Bunn. Barnes.
Brown. Baltz. Bowen. Bypass, of White
Copeland. Cunningham. Crowley. Easton
Carroll. Carter. Cagle. Chisum.
Dysaway. Doswell. Eagle. Flanagin.
Fishback. Gibson. Gilley. Goodwin
Horne. Hampton Hobson, Hughes-
Hawkins. Hanna. Howell. Jones.
Joyner. Kelly Liker Lucas.
Lindsey Lake. Mansfield. Merkly
Miller. Skoen. O'Sullivan. Patterson
Pantney. Perkins. Parrott Pullum
Ross. Proctor. Rutherford Reinhardt
Scott. Smith, of Lafayette. Smith of Saline
Sorels. Thomason, of Crawford. Thomason of
Washington) Thompson. Williams, of Jefferson
Williams, of Little River. Williams, of Ashley
Williams, of Union. Walker. With & Mr President

In the Affirmative 8
In the Negative 76
Not voting 13
91

So the motion to strike out was lost=

Mr Smith, of Lafayette offered to amend=

as follows "Strike out in the aggregate one per cent and insert five mills for ordinary State purposes, two mills for school purposes, and two mills to pay the interest on the public debt.

Upon which the previous question was ordered.

The "ayes and noes" were called for sustained and ordered on the previous question.

The Secretary called the roll and the following named members voted in the affirmative

Butler, of Pulaski. Copeland. Cowell.
Jones. Lucas. Murphy. Perkins.
Stanley. Smith, of Lafayette. Thomason, of
Crawford. Thornton, of Washington.
& Walker.

Anderson, of Lee. Anderson, of Craighead.
Branch. Butler, of Independence. Bailey.
Bruno. Barnes. Blackwell. Brown.
Bates. Bowen. Gipson, of White.
Cunningham. Curtis. Carroll. Cabler
Carter. Eagle. Ahlers. Downs. Dunaway.
Doswell. Eakin. Eagle. Flanagin.
Pierson Fishback. Garland. Gulley.
Goodwin. House. Hampton. Holmon
Hughes. Hawkins. Hanna. Joyner
Killgore. Lefler. Lindsey. Lake
Marshall. Miller. Rush. O'Sullivan
Pattillo. Penney. Parrott Pulliam
Rogers. Ross. Proctor. Rutherford
Reinhardt. Scott. Smith, of Saline.
Sorrels. Thompson. Williams, of
Jefferson, Williams, of Sharp. Little River
Williams, of Williams, of Union
& Witt.

In the affirmative 12
In the negative 64
Not voting 15
91

So the amendment to the amendment was not agreed to.

Mr Pulliam of Sebastian sent to the secretary the following explanation of his vote.

"This convention having by a vote on yesterday

recognized all the outstanding illegal bonds. as a just debt against the state. and believing that those bonds should be repudiated and declared utterly illegal and void. I am unwilling to vote to tax the people to pay such bonds. I vote no.

Mr Kilgore sent to the secretarys desk the following explanation of his vote. "I cold "no" because I have more confidence in the people than to suppose, that they will elect men, to the legislature that cannot be trusted.

Mr Thomason moved to amend by adding the following to the proposition just voted upon offered by Mr Smith of Lafayette. "And one mill for the gradual absorption of the floating debt provided that no funds derived from taxation for any one purpose shall ever be applied to any other.

Upon which he called the ayes and noes, which was sustained and the ayes and noes ordered.

The previous question was ordered

The roll was called and the following named members voted in the affirmative.

Bullis of Pulaski. Copeland. Curtis.
Gibson. Jones. Locke. Murphy
Perkins. Stanley. Smith of Lafayette.
Thomason of Crawford. Thurman of Washington
and Wade 17.

Those voting in the negative were.

Anderson of Lee. Anderson of Craighead Bunch
Butler of Independence. Bailey. Bynum.
Barnes. Blackwell. Brown. Bates
Bowen. Bryant of White Cunningham.
Carroll. Cable. Carter. Cagle.
Chism. Downs. Dunaway Driskell
Eakin. Eagle. Flanagin Fishback
Garland. Gidley. Goodlett Hinse.
Horner. Hughes. Hawkins Haines
Howell. Jackson Kilgore Leiper
Lucas. Lindsey Mosely. Mansfield
Mills O'Sullivan Patterson. Pomroy.
Parrott Pulliam Rogers. Ross
Rector. Rutherford Reinhardt. Scott.
Smith of Calhoun. Terrell. Thompson
Williams of Jefferson Williams of Lee
Rice. Williams of Chicot Williams of Union
Pratt.

In the affirmative. 13.
In the Negative. 60
Not voting 18
91

So the amendment to the Amendment was not agreed to -

The question then recurred upon the adoption of the amendment as amended.

The previous question was called and ordered on the main question

The question was taken and the amendment as amended was agreed to.

See this 05

Mr Patterson of Benton moved to add to sect. 11 the words "under the age of 55 years,"

Mr Thomason of Washington moved to strike out in the 4th line all after the word people, in Sect 11. which was adopted.

Mr Barnes of Pulaski moved to amend as follows - Move to amend the section by striking out in lines 3 & 4 all after the word constitution to word "In" in the 4th line - The words proposed to be stricken out are "And not in that case except by a vote of the people"-

Upon which the main question was ordered

The "ayes and noes" were ordered.

The roll was called, the following named members voted in the affirmative.

Butler of Pulaski. Barnes. Blackwell. Cofield
Downs. Flanagin. Hampton. Hawkins. Jones.
Murphy. O'Sullivan. Perkins. & Thompson.

Those voting in the negative were -

Anderson of Craighead. Branch. Bailey. Benn.
Brown. Bates. Bowen. Cypert of White.
Custer. Carroll. Cobler. Carter
Eagle. Crisson. Dunaway. Doswell.
Eakin. Eagle. Frierson. Fishback.
Gibson. Garland. Gulley. Goodwin.
House. Hughes. Hanna. Howell.
Joyner. Killgore Kelly. Kinsworthy
Lucas. Lindsey. Lake. Mansfield
Miller. Patterson. Pankey. Parrott.
Pelliano. Rogers. Ross Rector.

Rutherford. Reinhardt. Stanley. Scott, Smith, of Lafayette
Smith, of Saline. Sorrels. Thomason, of Crawford.
Thomason, of Washington. Williams, of Jefferson
Williams, of Little River. Williams, of Shark
Williams, of Union Walker. Wilk & Mr President.

In the Affirmative 13
In the Negative 61
Not voting 17
91

So the amendment was not agreed to -

Mr Thomason of Crawford moved to strike out the words "city or town" on first line Sect 11. but withdrew it.

Mr Hampton, of Bradley, moved to strike out the word "adoption" in the 3rd line and insert "Ratification"

Which was adopted -

Mr Eakin, moved to strike out the words "city and Town" in first line

Which was adopted -

Mr Fishback moved to insert "qualified Electors" and strike out the words "of the people"

Which was adopted -

Mr Smith of Lafayette moved to strike out the words "of current expenses"

Which was adopted.

The question then recurred upon the adoption of the Section as amended.

Mr Goodman called for the previous question.

The call was sustained and the previous question ordered

The "Ayes and Noes" were ordered on the main question

The roll was called and the following named members voted in the Affirmative

Anderson, of Craighead. Busich. Bunn.
Bates. Bowers. Copeland. Cunningham
Crowley. Custer. Cable. Carter.
Eagle. Ehrmo. Dunaway. Eakin.
Edgle. Fishback. Gibson. Garland
Galley. Goodwin. Howe. Hampton.

Hughes. Hanna Howell. Kinsworthy.
Leiper. Lindsey. Lake. Morley.
Mansfield. Miller. Niven. Parrott.
Williams. Rogers. Ross. Rector.
Rutherford. Reinhardt. Stanley. Scott.
Smith of Saline. Thomason of Crawford. Thomason of Washington
Williams of Little River Williams of Sharp.
Williams of Union. Walker. Witt & Mr President

Those voting in the negative were -

Anderson of Lee. Butler of Pulaski. Bailey.
Barnes. Blackwell. Coppert of White
Doyne. Doswell. Flanagin O'Connor.
Hawkins. Jones. Joyner. Killgore
Kelly. Lucas. Murphy. O'Sullivan
Patterson. Pantney. Perkins. & Thompson.

In the Affirmative 51
In the Negative 22.
Not voting 18
91

So the Section as amended was adopted -

Mr Horner of Phillips moved to strike out Section 12.

Which was adopted.

Mr Horner of Phillips moved to strike out all in line 2 Section 13. after word "States"

Mr Eakin of Hempstead moved further to amend as follows -

Amend by adding to Section 13. "which may be outstanding at the time of the ratification of this Constitution."

Which was accepted by Mr Horner.

Upon which the previous question was ordered

The main question was then put and lost -

The question then recurred upon the adoption of the Section.

The "Ayes and noes" were ordered.

The roll was called and the following named members voted in the affirmative

Anderson of Lee. Anderson of Craighead.
Bunch. Butler of Independence.
Butler of Pulaski. Bailey Barnes.

Blackwell. Brown. Bates. Brown. Cypert of White
Cunningham. Crowley. Cypert. Cable. Carter
Cagle. Crisco. Downaway. Eakin.
Eagle. Flanagin. Fishback. Gibson. Garland.
Kelley. Goodwin. Hozee. Hampton. Hannon
Hughes. Hawkins. Hanna. Hogwell. Jones.
Joyner. Killgore Kelly. Leper. Lucas.
Lindsey Lake. Morley. Miller. Niven
O'Sullivan. Patterson. Quarles. Parrott. Pulliam
Rogers. Ross. Rector. Rutherford-
Reckenhardt. Stanley. Scott.
Smith of Lafayette. Smith of Saline. Sorels
Thomason of Crawford. Thornard of Washington.
Thompson. Williams of Little River. Williams of Clark
Williams of Union Walker. Witt & Mr President.

Mr Mansfield of Franklin voted in the negative -

In the Affirmative 71
In the Negative 1
Not voting 19
91

So the Section was adopted.

Mr Dowell moved to amend Sect 14 by adding the words "until the purpose for which it is collected has been accomplished or been abandoned"

Which was not agreed to -

Mr. Thomason of Crawford, offered the following additional Section

Any citizen of any County City or town may institute suit in behalf of himself and all others interested, to protect the inhabitants thereof against the enforcement of any illegal exaction whatever -

Which was adopted -

Mr Pulliam of Sebastian, moved to amend by offering as additional section the following

Section - The State shall never pay either the principal or interest of the Bonds funded under an Act of the General Assembly, approved April 6th 1869, numbered from four hundred and ninety one to eighteen hundred and sixty inclusive and dated January 1st 1870. which were issued in lieu of five hundred Bonds issued by the State to the Real Estate Bank of the State of Arkansas dated in 1840 and known as the Wolfort Bonds.

The Convention then took a recess until 4 o'clock P. M.

— After the Recess.

The Convention met at 4 o'clock P.M

A quorum present.

Mess Scott & Gulley were excused being engaged in examining the Journal

Mr Flanagan chairman of the Committee on arrangement and Revision made the following report

The Committee on Arrangement and revision have examined the Article headed "Counties County Seats and County lines" and submit the following amendments, to wit

Sec 1 After the word "nor" in 3rd line insert "to" also strike out all after "inhabitants" in the 4th line and insert instead, "Nor shall any new County be established with less than Six hundred square miles and five thousand inhabitants: Provided that this Section shall not apply to the Counties of Lafayette, Pope and Johnson, nor be so Construed as to prevent the General Assembly from changing the line between the Counties of Pope and Johnson.

Sec 3 In 3rd line Change "and" to "nor" also in 7th line Change "any" to "such" and in last two lines from bottom of Section strike out the words "and until permanently established".

Sec. 5th In 5th line strike out "is now or" and at end of Section add "each district paying its own expenses".

The report of the Committee was adopted

The Committee on revision and arrangement report back the Article on Education and recommend the adoption of the following amendments

Sec 2 In 6th line strike out "those" and insert "the"

Sec 3 In the last line after "which" insert "it was"

All of which is submitted

H Flanagin
Chairman

The report of the Committee was adopted.

The committee on revision and arrangement recommend the following as Sect 58 for article on Judiciary -

All vacancies occurring in any office provided for in this article shall be filled by special election, save that in case of vacancies occurring in county and town-ship offices six months and in other offices nine months, before the next general election such vacancies shall be filled by appointment by the Governor

The report of the committee was adopted-

The resolution fixing pay of officers and employes was taken up.

Mr Leiper, of Dallas, offered the following amend-ment

To clerks of Committees time to be certified by the Chairman of the several Committees Six Dollars per day.

Which was adopted

The resolution was ordered engrossed for a third reading

Mr Doswell, of Jackson under a unanimous consent of the Convention introduced the following Ordinance,

Whereas an Ordinance was adopted by the Convention on the 13th day of August 1874, to borrow certain funds in United States Bonds and United States Treasury notes in the State Treasury, and -

Whereas an examination of the matter discloses that by far the greater part of said funds had been appropriated by an act of the Legislature in payment of borrowed money voided a contrad which by the Constitution of the United States cannot be impaired, and which the Convention has no desire to impair therefore -

Be it Ordined, That the said Ordinance be and is hereby rescinded and repealed.

Which was read a first and second time and referred to the Committee on Finance

The resolution requesting the proper officers to reduce the State and County Taxes which was on the table to be considered with the article on Finance was taken up.

Which was read as follows -

Whereas. Section 152 of the revenue law of the State provides that a tax of seven and one half mills on the dollar, shall be levied on all taxable property in the State for defraying the general expenses of the State and:

Whereas, Said Section further provides that whenever in the opinion of the Governor, Auditor and Treasurer of State on a majority of said officers, a lower rate of taxation than that specified, will raise a sufficient amount of revenue to defray the expenses of the State, they may make such reduction as the interest of the State will permit and

Whereas, It is the earnest desire of this Convention to relieve the people from all taxes that are not absolutely necessary to carry on the State Government on the most economical basis until they are relieved from their present impoverished and suffering condition, caused by the long protracted drought and the stringency of the money market. Therefore;

Be it Resolved by the Delegates of the people in Convention Assembled, That the Governor Auditor and Treasurer be and they are hereby earnestly requested to reduce the tax specified to at least two mills on the dollar, for the present year, and to notify the clerks of the several counties at once of such reduction.

Resolved - That the Board of Supervisors of the several Counties be and they are hereby requested to dispense with the levying of any County tax for this year that can possibly be omitted without serious detriment to the interests of the County.

Resolved. That the Secretary of the Convention be directed to furnish the officers herein named with a copy of these resolutions.

Upon which the "ayes and noes" were ordered

The roll was called and the following named members voted in the Affirmative -

Anderson, of Lee. Anderson, of Craighead. Bunch. Butler of Independence Butler of Pulaski, Bailey. Brown. — Barnes.

Blackwell. Brown. Bates. Bowen. Bypert, of White
Copeland. Cunningham. Curtis Carroll. Cabler
Carter. Cagle. Chiles Dunaway. Doswell.
Eakin. Flanagin. Frierson Fishback. Gibson
Garland. Goggleen Howe. Hampton Hamm
Hawkins. Hanna. Howell Jones. Joyner
Killgore Kelly. Leiper Legal. Lindsey
Mosley. Mansfield Murphy. Miller. Niven
Patterson Pardney. Perkins. Parrott Pulliam
Ross. Rutherford Reinhardt. Stanley Smith of
Lafayette) Smith, of Sulin. Sorrels Thompson, of Crawford
Thompson of Washington Thompson. Williams, of
Jefferson) Williams, of Little River, Williams, of
Clark) Walker. Witt & Mc President -

Messrs Downs. Rogers & Rector voted in the negative

In the affirmative 70
In the negative 3
Not voting 18
91

So the resolution was adopted

The resolution authorizing pay of officers and employees having been engrossed was then taken up and read the 3rd time, and adopted

Which reads as follows to wit:

Whereas under an Ordinance of this Convention the Secretary Assistant Secretaries and Journal Clerk and other officers were directed to be paid out of current funds proposed to be borrowed out of the treasury of the State

And, whereas by an order of the Circuit Court of the Pulaski circuit Court, the Treasurer of the State is inhibited from complying with said Ordinance

Therefore, be it resolved, That the Secretary of this Convention by and with the approval of the President be authorized to issue to the said employees certificates to be paid in State Scrip at a rate per diem.

To the Secretary sixteen dollars
Assistant Secretary twelve dollars
Journal clerk twelve dollars
Pages four dollars
Door keeper & asst. Six dollars
Sergeant-at-arms Six dollars
Chaplain. Six dollars
Transcribing Record Seventy Cents per Hundred words figures excluded -

To Clerks of Committees their time to be certified

-to by the Chairman of the several Committees six (6) dollars per day.

The Article on Impeachment and Address was then taken up, which reads as follows

Impeachment and Address.

Section 1. The Governor and all State Officers, Judges of the Supreme and Circuit Court, Chancellors and Prosecuting Attorneys, shall be liable to impeachment for high crimes, misdemeanors and Gross misconduct in Office; but the judgement shall not go further than removal from Office and disqualification to hold any Office of honor trust or profit under this State. An impeachment whether successful or not, shall be no bar to an indictment.

Sec. 2. The House of Representatives shall have sole power of impeachment. All impeachments shall be tried by the Senate. When sitting for that purpose, the Senators shall be upon oath or affirmation; and person shall be convicted without the concurrence of two-thirds of the members there of. The Chief Justice shall preside unless he is impeached, when the Senate shall select a presiding Officer.

Sec. 3. The Governor, upon the joint address of two-thirds of each House of the General Assembly, for good cause, may remove the Auditor, Treasurer, Secretary of State, Attorney-General, Judges of the Supreme and Circuit Courts, Chancellors and Prosecuting Attorneys.

Mr Cypert of White moved to strike out the words "all States" and insert "other execution"

which was not agreed to -

Mr Flanagin, of Clark moved to correct the verbal error of Sect 2 by inserting word "the" after word "person"

which was adopted -

Mr Eaken of Crittenden, moved to strike out the word "three" in 4th line and insert the words "members elected".

which was not agreed to -

Mr Hanna & Conway moved to strike out the word "Impeached" and insert "unless disqualified"

Which was adopted

Mr Fishback & Sebastian moved to strike out Sec 3

Mr Eakin, moved to amend to strike out all in Sect 3 line 3 after the word "Revenue" to the word "Judges &" in line 4, and then strike out the words "the Supreme and" in 3d line, but withdrew it

Mr. Cypert & White moved to strike out the words "Judges of the Supreme Courts" from Sect 3.

Which was not agreed to

Mr Barnes, & Polarski moved further to amend as follows

Move to amend the section by adding after the word "&" in the first line the words "all the members elected"

The previous question was ordered on the main question.

The "Ayes and Noes" were called for and ordered

The roll was called and the following named members voted in the Affirmative

Anderson & Lee. Anderson & Craighead. Branch
Carter & Independence. Bailey — Brown
Barnes & Blackwell. Brown. Baker
Cypert & White. Cunningham. Custer
Carroll. Cabler. Custer. Cagle
Chism Downs. Dunaway. Doswell.
Eakin. Flanagin. Frierson. Fishback
Gibson. Garland. Goodwin Horne
Hampton. Horton. Hawkins Hanna
Howell. Laymon. Kilgore Kelly
Leiper. Lucas Lindsay Mosley
Mansfield Murphy. Miller Shores
Patterson. Penney Parsons Pulliam
Rogers. Ross. Rector Rutherford.
Reinhardt Stanley Smith & Saline
Sorrels. Thomason & Crawford
Thomason & Washington. Thompson.
Williams & Jefferson. Williams & Little River
Williams & Sharp Williams & Union
Walker Wells & Mr President -

Those voting in the negative were Brown & Crowley

On the affirmative 67.
On the negative. 2-
Not voting 22
91.

So the amendment to the amendment was adopted:

The question then recurred upon the motion to strike out the section as amended.

The ayes and noes called for, and the call sustained.

The secretary called the roll and the following named members voted in the affirmative.
Anderson of Lee. Bullitt of Independence. Burns
Bowen Cypert of White Crowley Carroll
Cagle Chism Downs. Doswell
Eakin. Freeman. Fishback Gibson.
Horne Hammock Lucas. Lindsey
Pattison Peebles. Stanley Sorrells.
Williams of Jefferson. Williams of Leith River
Williams of Sharp. and Williams of Union

Those voting in the negative were:
Bailey Barnes. Blackwell. Brown
Bates. Cunningham. Curtis. Cabler.
Carter Cagle. Chism. Dorris.
Dunaway Flanagin. Garland. Gardner
Hamplin. Hawkins. Harrell. Joyner.
Kilgore Kelley Leiper Mosley
Mansfield Mudgley Miller Orrin
Putney. Parnell. Pulliam Ross.
Reeler. Rutherford. Reinhardt Smith
of Saline Sherman of Crawford Sherman
of Washington Thompson. Walker. Witt
And Mr President.

On the affirmative 28.
On the negative 41
Not voting 22
91

So the motion to strike out was not agreed to.

Mr Smith of Saline sent to the secretary desk the following explanation of his vote.

"I do not approve of removing Judges of the supreme Court by address but taking the section as a whole, vote against striking it out.

The convention then adjourned until monday morning at 8. o clock.

Thomas W. Newton
Secretary

Monday.
8. o clock. a. m.
August. 31st 1874

The convention met pursuant to adjournment.

The roll was called and the following named members answered to their names;

Andrew of Lee — Andrew of Crenshaw — Beach
Butler of Independence — Bailey. — Blackwell
Bates — Brown — Bryant of Boyle
of White — Cunningham. — Brawley.
Carroll — Cobb. — Cagle.
Downs — Dunaway. — Boswell.
Flaniagin — Grierson — Coshback
Gurley — Goodwin — Hinse.
Hawkins — Hanna. — Howell.
Kelley. — Lipsu — Lindsey
Sivin — Patterson — Parrott.
Ross — Rutherford — Reinhardt
Shumaem. of — Washington — Thompson.
of Jefferson. — Walker. — As President.

Those members failing to answer to their names were.

Butler of Pulaski — Berry — Binum. — Barnes
Brown Copeland — Curtis — Dodson — Eagle
Gibson — Hughes. — Johnson. — Jones.
Joyner. — Leland. — Lake. — Mansfield
Murphy — Miller — Sullivan — Pruitney.
Pulliam — Pierce — Perkins — Pulliam
Peck. — Rector. — Smoote. — Scott.
Smith of Lafayette. — Smith of Calvin. — Ozzels
Shumaker of Crawford. — Williams of Little River
Williams of Chapt — Williams of Izard and
Watt.

A quorum of the convention present

Mr Kinsworthy who granted three days leave of Absence.

Prayer by the Chaplain.

Messrs Pulliam Miller Williams of Little Rock Carter Williams of Wash Lucas Witt Brown. and Williams of Union. appeared in their seats and answered to their names.

The journal of the preceding day was then read and approved.

Messrs. Murphy Guntner Copeland Butler of Pulaski Peebles Powell. Gibson Scott. Chism Barnes. and Rench of Lafayette. appeared in their seats and answered to their names.

The President announced as Committee on Address.

Messrs. Garland of Nevada.
Rector of Garland
Hughes of Monroe.
Ritter of Independence
Bunch of Carroll.

Mr Witt of Van Buren under a suspension of the rules introduced the following ordinance.

Whereas. The ordinance adopted by this Convention on the 13th of August 1874, having reference to the pay of the clerical force and contingent expenses of the several state departments having proved insufficient and

Whereas. Two months pay is already due such clerks, and they are in great need thereof, and

Whereas there are no funds nor appropriation out of which to pay the same nor for the expenses of carrying on the several departments. Therefore

Be it Ordained by the Convention that the Auditor be and he is hereby authorized to audit the claims of the clerks and the contingent expenses already due on account of the said several departments, at the price for which they were employed and contingent expenses incurred at the market rates. by Statescrip or Treasurers Certificates as quoted in the city papers at the date of the issue and make the same payable under subdivision one section one of the general appropriation act approved April 26. 1873 providing for the current expenses of the state.

Be it further resolved that from and

after the first day of September 1894: the pay of first class clerks shall be at the rate of dollars per month in auditors warrants or state scrip and of second class clerks the sum of Dollars per month in auditors warrants or state scrip.

Be it further resolved that the said several departments shall only be allowed the number of clerks with their grade and the amount of contingent expenses for their respective departments as provided in the ordinance adopted by this convention on the 13th of august aforesaid, such contingent expenses to be paid under said subdivision 1. of section 1. General appropriation act aforesaid at the market rate of state scrip at the date of issue: Provided however that these provisions shall continue in force until otherwise provided for by the General Assembly

which was referred to the committee on Finance.

Mr Pitt of Van Buren under a suspension of the rules introduced the following ordinance

Whereas it is manifest that the deaf mute asylum is now and has been conducted and managed with unwarrantable extravagance and expense to the state, and

Whereas, in consideration of the extreme embarassed financial condition of the state and her people on account of drought and unavoidable other causes and feeling it a duty of this Convention to relieve the people as much as possible from our existing embarrassments.

Therefore be it resolved. That the operations of the deaf mute asylum be suspended for the period of two years, or until the state is in a condition to run the same, or until otherwise provided by law.

Which was refused to the committee on Finance

Mr Dreiker of Washington moved the recommendation of section 2. article on Impeachment.

which was adopted.

Mr. Walker then moved to insert the word "impeached" or otherwise before word disqualified which was adopted.

The article on Impeachment was then refused to the committee on engrossment.

The article on Finance was then taken up

The question recurred upon the motion of Mr Smith of Lafayette to refer the section under consideration to the committee of the whole.

which on being put was lost.

Mr Pierson of Cross called for the previous question on the main question

Mr Fishback called for the "ayes and noes" on the previous question

The call was sustained.

The roll was called and the following named members voted in the affirmative

Adkisson of Lee. Anderson of Craighead

Branch	Butler of Independence		Berry
Bailey.	Bunn.	Blackwell	Borden
Bates	Cypert of Boyle	Cypert of	White
Cunningham	Crowley	Clinton	Carroll
Carter	Cagle.	Chism	Driscoll
Dakin.	Flanagin.	Freeman	Garland
Gulley.	Gordon.	Grace.	Hamilton
Hamer.	Hughes.	Hawkins	Hamed.
Howell.	Kilgore	Kelley.	Lucas.
Mosely.	Miller	Nixon.	Pruitt.
Parrott.	Ross.	Rutherford	Rainbolt
Thompson.	Williams of Chick.		Williams of C.
Union 17	Witt + Mr Pres		

Those voting in the negative were.

Butler of Pulaski	Barnes.	Brown	
Copeland.	Cable.	Downs.	Dunaway
Fishback	Gibson	Leiper	Lindsey
Mansfield	Murphy	Nixon	Patton
Perkins.	Pulliam	Rogers.	Stanley.
Scott.	Smith of Saline.	Woods.	

Thomason of Crawford. Thomason of Washington. Williams of Jefferson. Williams of Little River and Walker.

In the affirmative	48.
In the negative	36.
Not voting	17
	91

So the previous question was ordered.

The main question was then put.

The ayes and noes were ordered.

The Secretary called the Roll and the

following named members voted in the affirmative

Bates.	Brown.	Custer.	Caldwell.
Chism.	Dynaway.	Fishback.	Gibson
Leiper	Lucas.	Lindsey	Patterson
Quillian.	Rogers.	Scott.	Owens.
Thomason of Crawford.		Thomason of Washington.	
Williams of Jefferson.		Williams of Little River	
Walker and Witt.			

Those voting in the negative were.

Anderson of Lee.	Anderson of Craighead		
Burch.	Butler of Independence	Butler	
of Pulaski.	Bailey.	Bunn.	Barnes
Blackwell.	Brown.	Cypert of Boyle	
Cypert of White.	Copeland.	Cummingham	
Conley.	Carroll.	Carter.	Cagle.
Crosthit	Eakin.	Flanagin	Frisen
Garland.	Ensley.	Goodwin.	Stone.
Hampton.	Harmon.	Hughes.	Hawkins
Hamm.	Howell.	Kilgore	Kelley.
Mosley.	Mansfield.	Murphy.	Miller
Norvell.	Pomeroy.	Perkins.	Parrott.
Ross.	Rutherford	Reinhardt	Stanley
Smith of Calhoun.	Thompson.	Williams of Sharp.	
Williams of Union. and Mr President.			

In the affirmative	32.
In the negative.	57.
Not voting.	18
	91.

So the additional section was rejected.

Mr Howell of Johnson sent to the secretary desk the following explanation of his vote.

"As regards the debt proposed the amendment company more generally known as the Holford Bonds has been paid or nearly all of it. If there is anything due on the $72 1.200 after ascertaining the amounts paid on bonds or coupons I wish the state to pay, the balance - I wish to wipe out; as we have never received any consideration for the balance of the $500,000

Mr Owens of Scott sent to the secretaries desk the following explanation of his vote Mr President. I vote "aye" because I believe the Holford bonds are illegal and should be repudiated. I am in favor of this convention abandoning the responsibility and relieving the state at once, and forever from this burden.

Mr Hanna of Conway sent to the secretary's desk the following explanation of his vote.

"I vote no. not because I am opposed to the measure, but for the reason that I fear the incorporation of this as a section in the Constitution might bring to bear an influence against it which might defeat its final establishment as the fundamental law of the state.

Mr Scott of Pope sent to the secretary's desk the following explanation of his vote.

Mr President. Believing fully that the funding by the state of the Five Hundred Thousand dollars of the stolen bonds was an outrage upon the rights of the people and made in the interest of Rings and monopolies and that the state should not assume the payment thereof. I vote aye.

Messrs House, Coyburt, Hughes & Mansfield sent to the Secretary's desk the following explanation of their vote

Mr President,

On the proposition to repudiate the bonds known as the Holford Bonds, we vote no, first because we do not think it a question that this Convention should have any thing to do with.

Second, because we are under the impression that the State is legally and morally bound to pay the sum of $121,339.32 with interest thereon from the date said sum was obtained from the North American Banking and Trust Company upon deposit of the five hundred one thousand dollar bonds issued by the State in 1874, and endorsed to the Real Estate Bank of Arkansas less the interest already paid upon those bonds as funded, and believing the State, like an individual should have a most scrupulous regards for the payment of her just and legal debts. We are unwilling to say by word or act that the State shall not assume the payment of all her just and legal debts, and if the State is not legally bound to pay said amount, the future Legislature coming directly from the people will have ample power to protect the State from the payment of the same.

J. W. House. J. T. Coyburt
L. P. Hughes. W. W. Mansfield

Mr Fishback, of Sebastian offered in lieu of the Ordinance the following

Sec 16 – No sinking fund tax for the year A.D. 1874 shall be collected.

On motion of Mr Thomason, of Crawford the Ordinance and amended Sect was referred to the Committee on Schedule and Ordinance.

Mr Miller, of Randolph moved to reconsider Sect 11.

Which was adopted.

Mr Miller moved to strike out all after the word Constitution in the 3rd line

Upon which the previous question was ordered

The "Ayes and noes" were called for and sustained

The roll was called and the following named members voted in the Affirmative

Anderson, of Lee.	Anderson, of Craighead.	Branch.	
Butler of Independence.	Bailey.	Brunn	
Barnes.	Blackwell.	Brown.	Bryant, of Baxter
Bryant, of White.	Cummingham.	Crowley.	Cusic.
Carroll.	Cagle.	Dowd.	Dowell.
Eakin.	Flanagin.	Frisson	Garland
Gulley.	Goodwin	Howe	Hamilton
Horton.	Hughes.	Hawkins.	Jones
Killgore	Kelly.	Leiper	Mosley.
Murphy.	Miller	Niven	Priestley
Parrott.	Ross.	Reinhardt –	Thomason
Williams, of	Shark. & Mr	President.	

Those voting in the negative were.

Bates.	Bowen.	Cokeland	Cabler.	Carter
Chism	Dunaway.	Fishback	Gibson.	Hanna
Howell.	Lucas.	Lindsey.	Mansfield.	
Patterson.	Perkins.	Pulliam	Rogers	
Rector	Rutherford	Manley	Scott.	
Smith, of –	Saline.	Sorrell.	Thomason, of	Crawford
Thomason, of	Washington.	Williams, of	Jefferson	
Williams, of	Little River.	Williams. of	Cinnion &	Walker

In the Affirmative 44.
In the Negative 30
Not voting 17
91

So the Amendment was adopted.

The question then recurred upon adopting the section as amended.

The question was taken and the Section as amended was adopted.

The Article on Finance was then referred to the Committee on Engrossments.

The Article on Rail-Roads, Canals and Turnpikes was then on motion taken up.

Which was read by the Secretary as follows

Rail-Roads, Canals and Turnpikes.

Section 1. All railroads, canals and turnpikes shall be public highways, and all railroads and canal Companies shall be common carriers. Any association or corporation, organized for the purpose, shall have the right to construct and operate a railroad between any points within this State, and to connect at the State line with railroads of other States. Every railroad Company shall have the right with its road to intersect, connect with or cross any other road, and shall receive and transport each the others passengers, tonnage and cars loaded or empty without delay or discrimination

Sec. 2. Every railroad canal and turnpike Corporation organized in this State, shall maintain one office therein, where transfers of its stock shall be made and where its books shall be kept for inspection by any stockholder or creditor of such Corporation, in which shall be recorded the amount of capital stock subscribed or paid in, and the Amounts owned by them respectively the transfers of said stock and the names and places of residence of the officers

Sec. 3. All individuals, associations and Corporations shall have equal right to have persons and property transported over Railroads, Canals and turnpikes; and no undue or unreasonable discrimination shall be made in charges for, or in facilities for transportation of freight or passengers within the State, or coming from or going to any other State. Persons and property transported over any railroad, shall be delivered at any station, at charges not exceeding the charges for transportation of persons and property of the same class, in the same direction to any more distant station. But upon reasonable

and commutation tickets may be issued at special rates.

Sec. 4. No railroad, canal or other corporation, or the lessees, purchasers or managers of any railroad, canal or corporation, shall consolidate the stock, property or franchises of such corporation with, or lease, or purchase the works or franchises of, or in any way control any other railroad or canal corporation owning or having under its control a parallel or competing line, nor shall any officer of such railroad or canal corporation act as an officer of any other railroad or canal corporation, owning or having control of a parallel or competing line; and the question whether railroads or canals are parallel or competing lines, shall, when demanded by the party complainant, be decided by a jury, as in other civil issues.

Sec. 5. No incorporated company doing the business of a common carrier, shall directly or indirectly prosecute or engage in mining or manufacturing articles for transportation over its works, nor shall such company directly or indirectly engage in any other business than that of common carriers, or hold or acquire lands freehold or leasehold, directly or indirectly, except the lands heretofore granted by congress, and such additional lands as may be necessary to carry on their business. But any mining or manufacturing company may carry the products of its mines and manufactures on its railroad, canal or turnpike not exceeding fifty miles in length.

Sec. 6. No president, director, officer, agent or employee of any railroad or canal company, shall be interested directly or indirectly in the furnishing of or contract or supplies to such company, or in the business of transportation as a common carrier of freight or passengers over the works owned, leased, or controlled or worked by such company. Nor in any arrangement which shall afford more advantageous terms or greater facilities than are offered or accorded to the public. And all contracts and arrangements in violation of this section shall be void.

Sec 7. No discrimination in charges.

of facilities for transportation shall be made between transportation companies and individuals, or in favor of either by abatement, drawback or otherwise; and no railroad or canal company, or any lessee, manager or employee thereof shall make any preference in furnishing cars or motive power.

Sec. 8. No railroad, railway or other transportation company shall grant free passes, or passes at a discount, to any person except officers or employes of the company.

Sec. 9. No street passenger railway shall be constructed within the limits of any city, borough or township without the consent of its local authorities; and until the company or individual proposing to construct the same shall have obtained the consent of the owners of the land to be affected thereby.

Sec. 10 All existing railroad, canal, township and street-car charters or grants of special or exclusive privileges, under which a bona fide organization shall not have taken place and business commenced in good faith, at the time of the adoption of this Constitution shall thereafter have no validity.

Sec 11. The General Assembly shall not remit the forfeiture of any corporation now existing or alter or amend the same, or pass any general or special law for the benefit of such corporation except on the condition that such corporation shall thereafter hold its charter subject to the provisions of this Constitution.

Sec 12. The exercise of the right of eminent domain shall never be abridged, or so construed as to prevent the General Assembly from taking the property and franchises of incorporated companies and subjecting them to public use — the same as that property of individuals

Sec. 13. No right of way, or right to take or use private property shall be granted to any railroad, other corporation

or individual until full compensation therefor shall be first made in money, or first secured by deposit of money to the owner irrespective of any benefit from any improvement proposed by such Corporation, which compensation shall be ascertained by a jury of twelve men in a Court of record, as shall be prescribed by law and the right of appeal shall remain inviolate as in other cases.

Sec. 14. No railroad, canal turnpike or other transportation company, in existance at the time of the adoption of this article shall have the benefit of any future legislation by General or Special Laws except on condition of complete acceptance of all the provisions of this article.

Sec 15. The General Assembly shall pass laws to correct abuses and prevent unjust discrimination and excessive charges by railroad, canal and turnpike companies for transporting freight and passengers and shall provide for enforcing such laws, by adequate penalties and forfeitures

Sec. 16. The rolling stock and all other movable property belonging to any railroad or corporation in this State shall be considered personal property and shall be liable to execution and sale, in the same manner as the personal property of individuals, and the General Assembly shall pass no law exempting any such property from execution and sale

Sec 17. The General Assembly may by law tax the gross income of all railroads which now are or hereafter may be constructed and operated in this State

Sec. 18. All railroads which are now or may by hereafter built and operated in this State, shall be responsible for all damages to persons and property, under such regulations as may be prescribed by the General Assembly.

Sec 19. The directors of every railroad corporation shall annually make a report under oath to the Auditor of Public accounts of all their acts and doings which reports shall include such=

matters relating to said roads as may be prescribed by law. and the general assembly shall pass laws enforcing by suitable penalties the provisions of this section.

Mr Thomason of Crawford moved to amend by adding to the section the words. "upon such terms as may be provided by law"

Mr Cypert of White moved to lay the amendment and the whole article on the table.

upon which the "ayes and noes" were ordered

The roll was called and the following named members voted in the affirmative;

Anderson of Lee. Anderson of Craighead Butler of Independence Blackwell. Cypert of White. Crowley. Carter. Cagle. Worwell Friersen Stone. Horton. Hanna. Kildgore Leecas. Miller Rogers.

Those voting in the negative were.

Bunch. Butler of Pulaski. Bailey
Bynum. Barnes. Brown. Bates
Brown. Cypert of Boyle. Copeland
Cunningham Custer. Carroll. Cable
Chism Dorris. Dunaway. Eakin
Flanagin. Fishback. Gibson Garland
Gulley Gordon Hampton. Hughes
Hatchkiss. Harrell. Leiper. Lindsey
Mosely. Mansfield Murphy. Pattison
Pruitney. Perkins. Parrott. Pilliam
Ross. Reeler. Rutherford Reinhardt.
Stanley. Scott. Smith of Lafayette
Smith of Saline. Sorrels. Thomason
of Crawford. Thomason of Washington
Thompson. Williams of Jefferson. Williams
of Little River. Williams of Sharp. Williams.
of Union. Walker. Witt and Mr.
President.

In the affirmative 17.
In the negative 66.
Not voting. 18
91

So the motion to table was not agreed to.

The question then recurred upon the motion made by Mr Thomason of Crawford to amend section 1.

Mr Thomason withdrew his amendment.

Mr Flanagin of Clark moved to strike out from 2d line after word "Caucio" down to the end of the 4th line.

which on being taken was not agreed to.

Section 2. was then taken up.

Mr Flanagin moved to strike out the word "organized" in the 1st line, and insert "operated or partly operated"

Mr Smith of Saline moved to strike out section 2. but withdrew it by consent.

Mr Oyler of White renewed the motion to strike out

the previous question was called for and ordered

The question was then taken and the motion to strike out was not agreed to.

Mr Eakin of Hempstead moved to strike out section 4.

Mr Reelin called for the previous question, which call was sustained. and the previous question ordered

The question was then taken and the motion to strike out was lost.

Mr Leiper of Dallas moved to strike out all after the word turnpike in last line of sect. 5. and insert "one hundred miles."

Mr Smith of Saline moved to strike out all after word "business" in line 6. but withdrew it.

The question then recurred upon the amendment offered by Mr Leiper of Dallas.

The question was taken. and the amendment was agreed to.

Mr Thompson of Woodruff moved to strike out section 5. upon which the ayes and noes were called for.

The main question was ordered.

The roll was called and the following members voted in the affirmative.

Anderson, of Craighead. Bunch. Butler of Independence.
Bunn. Blackwell. Brown. Calpert of Baptist.
Calpert, of White. Crowley. Carroll of Eagle.
Eakin. Flanagin. Frierson. Garland. Howard
Hamm. Hawkins Fulton. Mansfield. Miller
Niven Dallison. Rogers Ross. Rutherford
Reinhardt Smith of Saline. Thomason. Williams of
Jefferson) Williams of Little River. Williams of Izard

Those voting in the negative were

Anderson, of Lee. Battle of Pulaski. Bailey. Barnes.
Bates. Bowen. Copeland, Calpert of White Carter. Cabler
Carter. Chism. Downs. Dunaway. Dowell.
Fishback. Gulley. Goodwin Hampton Hughes
Hanna. Howell Kelley. Leiper Lucas
Lindsey. Mosley. Murphy Penney Perkins
Parrott. Pickens Roy Stanley Scott
Smith of Lafayette. Sorrels. Thomason of Crawford
Thomason of Washington. Williams of Sharp
Walker of Mr President.

In the affirmation 32
In the negative 43
not voting 16
91

On the motion to strike out was not agreed to.

Mr Thomason of Crawford moved to strike out all after word "Carrier" in line 1 down to include word "hold" in fourth line, and then strike out all after word "business" in line 6 section 5.

Mr Fishback rose to a point of order, that the motion to amend should have been made before the motion to strike out was put.

The point of order was overruled.

The question then recurred upon the amendment offered by Mr Thomason of Crawford.

Mr Eakin moved to amend except lands that may be subscribed as capital stock

which was accepted by Mr Thomason

The Ayes and noes were called for

The roll was called and the following named members voted in the affirmative

Anderson of Lee. Anderson of Craighead. Bunch
Butler of Independence. of Bailey. Brown

Barnes. Brown. Bates. Cykert of Barker.
Copland Cunningham Crowley. Cyphert of Schuyler
Carroll. Cable. Carter. Cyphert
Chism Dunaway. Dowell. Eagle
Flanagin. Gibson. Garland. Eakin.
Goodwin Haney. Gannon. Eyler.
Haughee. Hawkins. Hanna Hamilton.
Fillmore. Kelly. Leiper. Howell.
Lindsey. Mosley. Mansfield Leycar.
Miller Niven. Patterson. Murphy.
Parrott. Pullian Rogers. Pumphrey
Rutherford Reinhardt. Stanley. Ross.
Smith of Lafayette Smith of Saline. Scott
Thomason of Crawford. Thomason of Washington Soule.
Thompson Williams of Jefferson. Williams of Sharp.
Williams of Union & Mr President.

Those voting in the negative were

Buttin of Pulaski. Bowen. Bowers. Fishback
Perkins Rector & Walker

In the affirmative 85
In the negative 7
Not voting 19
91

So the amendment was agreed to.

Mr Downs of Chicot moved to strike out Sect 5th as amended

Which was not adopted.

Mr Mansfield of Franklin moved to amend by adding the words "or donated by individuals" to sect 5th.

Which was adopted.

Mr Flanagin of Clark moved to further amend by adding "or Congress" after word "individuals".

Which was not agreed to -

The question then recurred upon the amendment offered by Mr Mansfield.

The question was taken and the amendment adopted.

Mr Williams of Jefferson moved to strike out the section as amended

The ayes and noes were called for on the main question.

The roll was called and the following named members voted in the affirmative -

Anderson, Craighead -

Bunch. Butler, of Independence. Brown
Brown. Cypert, of Baxter. Cypert of White
Copeland Cunningham. Crowley.
Carroll. Eagle. Dunaway. Doswell.
Garland. Goodwin. Howe. Vanson
Hawkins Hanna. Howell. Fellgore
Kelly. Lucas. Lindsey. Mosley.
Mansfield. Murphy. Miller. Veirs
Patterson. Parrott. Rogers. Ross.
Rutherford. Reinhardt. Thompson. Williams of
Jefferson. Williams of Little River. Williams of
Sharp. Williams of Union & Pitt.

Those voting in the negative were

Anderson of Lee. Butler of Pulaski. Bailey. Barnes.
Blackwell Bates. Custer. Chism Eakin
Flanagin. Fishback. Gibson. Gulley. Hampton
Hughes. Leiper. Pumney Perkins
Pilliam Rector Stanley Smith of Lafayette
Smith of Saline. Sorrels. Thomason of Crawford
Thomason of Washington Walker & Mr President-

In the affirmative 43.
In the negative 36
Not voting 18
91

So the motion to strike out prevailed

Mr Williams moved to strike out the word "of" and insert the word "on"

Which was adopted

Mr Flanagin offered the following substitute for Section 8.

The General Assembly shall prevent by law the granting of free passes to any officer of this State legislative, executive or judicial.

Which was adopted

Mr Flanagin moved to strike out Section 9.

The question was taken and the motion to strike out was carried

Mr Smith of Saline moved to strike out Sect 10

Which was adopted.

Mr Thomason of Crawford moved to strike out Sec 13 which was adopted

Mr Thomason of Crawford moved to strike out Sect 14.

Which was adopted

Mr Flanagin moved to strike out Sect 17.

The ayes and noes were ordered

The roll was called and the following named members voted in the affirmative

	Anderson, of Lee.	Butler, of Independence.		
Bunn.	Brown.	Cypert, of White.	Eagle.	
Downs.	Eakin.	Erickson.	Holmes.	
Hawkins	Williams, of Jefferson.	&	Witt.	

Those voting in the negative were

Anderson, of	Craighead.	Bench.	Butler, of	Pulaski.
Bailey.	Barnes.	Blackwell.	Batch.	Rowen.
Cypert, of	Baxter.	Copeland	Cunningham	
Crowley	Custer	Carroll.	Cubler	Carter
Chiles.	Dennaway.	Doswell	Flanagin.	Fishback
Gibson.	Garland.	Gulley.	Goodwin.	Horner
Hampton.	Hughes.	Hynes.	Howell	Hillgore
Kelly.	Lefler.	Lucas.	Lindsey.	Lake.
Mosley.	Mansfield.	Murphy.	Miller.	Niven
Patterson	Pumphrey.	Perkins.	Parrott	Pulliam
Rogers.	Ross.	Rector.	Rutherford	Reinhardt
Stanley.	Scott.	Smith, of	Lafayette.	Smith, of Saline
Sorrels.	Thomason, of	Crawford.	Thomason of	Washington)
	Thompson.	Williams, of	Little River	
Williams, of	Sharp.	Williams, of	Union	
Walker	& Mr President.			

In the affirmative	13
In the Negative	64
Not voting	14
	91

So the motion to strike out was not agreed to -

Mr Thomason, of Crawford moved to amend by adding after the word prohibit the words "in whole or part" -

which was agreed to..

Mr Eakin of Hempstead moved to strike out the Section but withdrew the same by consent

The Article was then on motion adopted and referred to the Committee on Engrossment

Mr Scott of Pope moved to add as additional Section

"The receiving and forwarding agent of railroads in each county through which said roads may run may be made defendants in any suit at law and notice served upon their said Agents by any party shall be sufficient to bind said Corporation or company for their appearance before the court from whence the same may be issued.

Mr Bunn made a point of order, that the motion refering the article, left it no longer subject to amendment-

The point of order was sustained

Mr Killgore introduced the following Ordinance

Be it ordained by the people of Arkansas in Convention assembled

That all lands dured to the State by the forfeiture or purchase for non payment of taxes since and including the year 1868 and remaining unsold or donated, may be redeemed by the owner or party entitled to redeem the same at the time of such forfeiture or purchase, at any time previous to the first day of January 1874, until which time all such lands are hereby reserved from sale or donation.

2nd That the mode of redemption shall be by applying to the Auditor in the same manner as required in cases when the time of redemption has not expired, but the penalty for nonpayment of the taxes is hereby remitted and all such lands may be redeemed by payment of the taxes and costs without the penalty.

3rd When any person being entitled to redeem lands under this ordinance shall deem the taxes exorbitant on account of the lands having been assessed at too great a value he may apply by petition to the County Court of the County in which such lands are situated, and the Court shall hear proof as to the value thereof at the time of the assessment for such taxes, and the Court shall certify of record the value according to such proof, and upon the presentation of a certified copy of such record to the Auditor he shall if the assessed value thereof be more than fifty per cent greater than the real value as so proved allow the party or parties to redeem the same by paying such tax and costs as would have accrued upon such true value.

Which was referred to the Committee on Schedules and Ordinances

Mr House of White presented an abstract of the indebtedness of the State, and asked that 500 copies be printed.

Mr Thomason moved that the report be printed with the Constitution ordered to be printed by the Convention

Which was not agreed to -

The question then recurred upon the motion of Mr Howe; of which to print 500 copies

which was adopted

The Convention then took a recess until 4 o'clock P.M.

After the Recess.

The Convention met at 4 o'clock P.M.

A quorum present

Mr Flanagin of Clark moved to reconsider the vote had on Sect 17. Article on Railroads &c

which motion was postponed until 10 o'clock A.M. to-morrow

The article on Miscellaneous Provisions was then on motion of Mr Mansfield taken up.

The Secretary then read the article as follows

Miscellaneous Provisions

Section 1 No person who denies the being of a God shall hold any Office in the civil department of this State, nor be allowed his oath in any Court.

Sec. 2. No person who may hereafter fight a duel, assist in the same as a second, or send, accept, or knowingly carry a challenge therefor shall hold any Office in this State, and may be otherwise punished as the law may prescribe.

Sec. 3. No person shall be elected to any Office, or appointed to fill a vacancy in an Office who does not possess the qualifications of an elector.

Sec. 4. All civil Officers for the State at large shall reside within the State, and all district County and Township Officers, within their respective districts, Counties and Townships, and shall keep their Offices at such places therein as are now or may hereafter be required by law.

Sec 5. All Officers shall continue in Office after the expiration of their official terms, until their successors are elected and qualified.

Sec. 6. No person shall hold or exercise the powers of more than one Office in the same department of the government at the same time, except as

expressly directed or permitted by this Constitution.

Sec. 7. Absence on business of the State, or of the United States, or on a visit, or necessary private business, shall not cause a forfeiture of a residence once obtained.

Sec. 8. It shall be the duty of the General Assembly to regulate by law in what cases, and what deductions from the salaries of public officers, shall be made for neglect of duty in their official capacity.

Sec. 9. The General Assembly shall have no power to create any office not expressly provided for by this Constitution.

Sec. 10. Returns for all elections, for officers who are to be commissioned by the Governor and for members of the General Assembly, shall be made to the Secretary of State.

Sec. 11. No money shall be drawn from the treasury unless the same shall be appropriated by law. Nor shall any sum exceeding one hundred dollars be appropriated unless a majority of all the members elected to the General Assembly shall vote for the same.

Sec. 12. An accurate and detailed statement of the receipts and expenditures of the public money, the several amounts paid, to whom and on what account, shall from time to time be published, as may be prescribed by law.

Sec. 13. When no other rate of interest is agreed upon in writing between the parties to a contract for the payment of money, six per centum per annum shall be the rate upon all sums from the day the same becomes due; but such parties may agree in writing for the payment of interest on any sum before the same shall become due, and for the payment of any rate of interest not exceeding twelve per centum per annum.

Sec. 14. No lottery shall be authorized by this State, nor shall the sale of lottery tickets be allowed.

Sec. 15. All stationery, printing, paper and fuel used in the Legislature and all other departments of government shall be furnished, and the printing, binding and distributing of the laws, journals, department reports,

and all other printing and binding, and the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its committees, shall be performed under contract, to be given to the lowest responsible bidder, below such maximum price and under such regulations as shall be prescribed by law. No member or officer of any department of the government shall in any way be interested in such contracts, and all such contracts shall be subject to the approval of the Governor, Auditor and State Treasurer.

Sec. 16. All contracts for erecting or repairing public buildings or bridges in any County, or for materials therefor, or for providing for the care and keeping of paupers, shall be given to the lowest responsible bidder, under such regulations as may be provided by law.

Sec 17. The laws of this State civil and criminal, shall be revised, digested, arranged, published and promulgated at such times and in such manner as the General Assembly may direct.

Sec. 18. The General Assembly, by suitable enactments, shall require such appliances and means to be provided and used as may be necessary to secure as far as possible the lives health and safety of persons employed in mining, and of persons traveling upon railroads and by other public conveyances, and shall provide for enforcing such enactments by adequate fines and penalties

Sec. 19. The General Assembly shall provide by law for establishing and maintaining an Asylum for insane persons.

Sec. 20. Senators and Representatives and all judicial and executive, State and County officers, and all other officers both civil and military, before entering on their respective offices, shall take and subscribe to the following oath or affirmation: I — do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Arkansas, and that I will faithfully discharge the duties of the office of — upon which I am now about to enter".

Sec. 21. The sureties upon the official bonds of all State officers shall be residents of and have sufficient real property within the State, not exempt from sale under execution, attachment or other process of any court, to make good their bonds, and the sureties upon the official bonds of all County officers shall reside within the counties where such

officers reside, and shall have sufficient real property therein, not exempt from such sale to make good their bonds

Sec. 22. Either branch of the General Assembly at a regular session thereof, may propose amendments to this Constitution, and if the same be agreed to by a majority of all the members elected to each House, such proposed amendments shall be entered on the journals with the yeas and nays, and published in at least one newspaper in each County, where a newspaper is published, for six months immediately preceding the next general election for Senators and Representatives, at which time the same shall be submitted to the electors of the State, for approval or rejection; and if a majority of the electors voting at such election adopt such amendments, the same shall become a part of the Constitution. But not more than — amendments shall be proposed or submitted at the same time, and when two or more amendments are submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment separately.

Mr Downs, of Chicot moved to strike out Sec 1

The previous question was called for and sustained and ordered.

The ayes and nays were ordered on the main question

The roll was called and the following named members voted in the affirmative

Barnes. Blackwell. Downs. Dowell.
Eakin Flanagin. Jones. Rector.

Those voting in the negative were —

Anderson, of Lee. Anderson of Craighead. Bunch.
Butler, of Independence. Buttle of Pulaski. Bailey.
Bruno. Brown. Bates. Bowden
Cypert of Baxter. Cypert, of White. Copeland. Cunningham
Crowley. Custer. Carroll. Cabler. Carter Cagle
Chrisp. Degnaway. Eagle. Frierson Fishback. Gibson
Garland. Gulley. Goodwin. Hampton. Connor.
Hughes. Hawkins. Hanna. Howell. Killgore
Kelly. Leiper. Lucas. Lindsey. Lake
Merrifield. Murphy. Nevin. Patterson. Pinkney
Perkins. Parrott. Pulliam. Rogers. Ross-
Rutherford. Reinhardt Stanley Scott Sorrels
Thomason, of Crawford. Thomason, of Washington. Thompson
Williams, of Jefferson. Williams of Sharp. Williams, of Lawrence
Walker. Pitt & Mc President.

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